



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 551 OF 2026 (LA-UDA)

BETWEEN:

1. CHIKKANAMMA
S/O. LATE MALEGOWDA,
AGED ABOUT 82 YEARS,
R/AT: #129, KERGALLI GRAMA,
BADAGALAHUNDI, JAYAPURA HOBLI,
KERGALLI POST,
MYSORE TALUK,
MYSORE - 570 026.

... PETITIONER

(BY SMT. KUSUMA M., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HOUSE AND URBAN,
M.S. BUILDING,
BANGALORE - 560 001.
2. MYSORE URBAN DEVELOPMENT AUTHORITY,
JHANSI LAKSHMI BAI ROAD,
MYSORE - 570 005.
BY ITS COMMISSIONER,



3. SPECIAL LAND ACQUISITION OFFICER
MYSORE URBAN DEVELOPMENT AUTHORITY, JHANSI
LAKSHMI BAI ROAD, MYSORE - 570005.

...RESPONDENTS

(BY SRI. HARISHA A.S., AGA FOR R1;
SRI G.B. SHARATHGOWDA, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO 1. ISSUE A WRIT OF CERTIORARI OR ANY OTHER SIMILAR WRIT OR ORDER OR DIRECTION, QUASHING PRELIMINARY NOTIFICATION DATED 06.10.1997, BEARING NO. LAQ (1) CR 81/97-98 ISSUED BY THE 2ND RESPONDENT AUTHORITY AT ANNEXURE A TO THE WRIT PETITION IN SO FAR AS SCHEDULE PROPERTY BELONGING TO THE PETITIONER IS CONCERNED AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has sought for setting aside of the Preliminary Notification dated 06.10.1997 issued by the respondent Authority.

2. It is the case of the petitioner that despite Preliminary Notification being passed on 06.10.1997, the acquisition proceedings have not been effectuated and



there has been inaction on the part of respondent Authority.

3. It is submitted that an inordinate delay of 28 years could be taken note of as reflecting an intention of the Authority to abandon the acquisition proceedings.

4. Reliance is placed on the order dated 30.05.2023 passed in W.P. No.10121/2023 [LA-UDA] as well as on the order dated 02.02.2026 passed in W.P.No.34253/2025.

5. The order passed in W.P.No.10121/2023 dated 30.05.2023 reads as follows:-

"ORDER

The petitioners have challenged the validity of the Preliminary Notification dated 06.10.1997 issued by respondent No.2 annexed at Annexure-A and in the alternative has sought for declaration that the acquisition proceedings pursuant to the Notification dated 06.10.1997 has lapsed.

2. It is noticed that the Preliminary Notification under Section 17(1) of the Karnataka



Urban Development Authorities Act, 1987 (hereinafter referred to as 'KUDA Act' for the sake of brevity) was passed on 06.10.1997 proposing to acquire certain land at Keragalli Village, Jayapura Hobli, Mysuru Taluk and District for the purpose of formation of residential layout known as "Ravindranath Tagore Layout". It is admitted that pursuant to the Preliminary Notification, no further steps have been taken to complete the acquisition process in terms of the statutory scheme as more than 26 years have lapsed since the date of Preliminary Notification. Hence, the petitioners are entitled for relief of declaration as there is lapse of acquisition.

3. Perused the order passed in W.P.No.3876/2022, wherein this Court in an identical context dealing with land in the same Keragalli Village, Jayapura Hobli, Mysuru Taluk and District has quashed the Preliminary Notification. In the light of the undisputed facts that no steps have been taken pursuant to the Preliminary Notification, petitioners are entitled for declaration that the acquisition has lapsed. Accordingly, petition is allowed and consequently, Preliminary Notification bearing No.LAQ (1) CR 81/97-98 dated 06.10.1997 is quashed insofar as petitioners' land is concerned."

6. Taking note of the identical contentions raised in the present matter also, as well as the undisputed fact



that the respondent - Authorities have not proceeded to take any steps to effectuate acquisition proceedings, it would be appropriate to declare that the acquisition proceedings has been abandoned and lapsed insofar as the petitioner's property is concerned pursuant to the Preliminary Notification dated 06.10.1997.

Accordingly, the petition is ***disposed of***.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

VGR