



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 1008 OF 2026 (LA-BDA)

BETWEEN:

1. MAHESH ARADHYA H. C.,
AGED ABOUT 43 YEARS,
S/O. CHINNABHUDDI, C A KERE HOBLI,
MADDURU TALUK,
HONNALAGERE,
S I HONNALAGERE
MANDYA, KARNATAKA - 571422.
2. H.M. MADHU,
AGED ABOUT 62 YEARS,
S/O. H.A. MANJE GOWDA,
2588, 1ST FLOOR, 12TH CROSS,
5TH B MAIN, NEAR RAMESH BABU CIRCLE,
HAMPINAGAR, BANGALORE NORTH,
BENGALURU - 560104.
3. N. GURUDUTH
S/O LATE V. NARAYANAMURTHY,
AGED ABOUT 60 YEARS,
R/AT NO.139, 3RD CROSS, 4TH MAIN,
RAILWAY LAYOUT, BHAVANI NAGAR,
BANASHANKARI 1ST MAIN,
BENGALURU-560 056.
4. NAGURI SUBAHAN,
AGED ABOUT 59 YEARS,



S/O N. DASTHAGIRI,
2-40, CHANDRAYUNIPALLI,
NALLAMADA, REDDIPALLI,
ANANTHAPURAMU,
ANDHRAPRADESH-515501.

5. CHANDBASHA,
AGED ABOUT 42 YEARS,
S/O KASHIM,
NO. 126, 1ST MAIN, 3RD CROSS,
NEAR RING ROAD HOSPITAL,
BANASHANKARI 3RD STAGE,
KATHRIGUPPE, HOSAKEREHALLI,
BENGALURU-560085.
6. B.S. RANGARAJAN
(OWNER GPA HOLDER MURTHY AS PER SALE DEED),
S/O A. N. MURTHY,
AGED ABOUT 50 YEARS,
R/AT NO.1331/13, 4TH CROSS,
ASHOKA NAGAR,
BANASHANKARI 1ST MAIN,
BENGALURU 560 050.
7. RAFI C.,
AGED ABOUT 45 YEARS,
S/O. C. KULLAYAPPA,
NO. 138, 4TH MAIN,
6TH BLOCK, BANASHANKARI 3RD STAGE,
HOSAKEREHALLI, BANGALORE SOUTH,
BENGALURU 560085.
8. VIRESH R. MATTIGATTI,
AGED ABOUT 39 YEARS,
S/O. RAVINDRA MATTIGATTI,



NO.1, SHIVAPARVATHI NAGAR,
NEAR OM SHANTHI BUILDING,
HUBLI, NAVANAGAR, DHARWAD,
KARNATAKA - 580025.

NOW R/AT NO.18, I FLOOR,
4TH CROSS, 4TH MAIN, A.D. HALLI,
MAGADI MAIN ROAD,
BANGALORE-560079.

9. SUMATHI. Y.,
AGED ABOUT 50 YEARS,
W/O S.B. SHIVA SHANKAR,
NO.2082/A, 9TH CROSS,
1ST MAIN ROAD, RPC LAYOUT,
VIJAYNAGAR, BANGALORE NORTH,
BENGALURU-560040.
10. A. MOHANRAO,
AGED ABOUT 61 YEARS,
S/O LATE A SHESADRI,
GUTTAVANDLAPALLI,
DUDIVANDLAPALLI,
CHINNAGOTTIGALLU, CHITTOOR,
ANDHRA PRADESH 517194.
11. V. RAJU,
AGED ABOUT 71 YEARS,
S/O. LATE VENKATEGOWDA,
T BALLEKERE VILLAGE,
THAGGAHALLI, KOPPA HOBLI,
MADDUR TALUK, MANDYA,
KARNATAKA - 571425.



12. P.V. CHANDRASHEKARA
S/O VENKATAPPA,
AGED ABOUT 44 YEARS,
R/AT PANNEDODDI, BESAGARAHALLI POST,
MANDYA DISTRICT - 571 419.
13. NISHANTH V.M.
S/O LATE MANJUNATHA V.,
AGED ABOUT 22 YEARS,
R/AT NO. 3320, 12TH CROSS,
40 FEET ROAD, 3RD STAGE,
KUMARASWAMY LAYOUT,
BENGALURU-560 078.
14. G. BABAR,
AGED ABOUT 26 YEARS,
S/O BABU,
NO. 117, 2ND CROSS, RAM RAO LAYOUT,
NEAR ADIYAR ANAND BHAVAN,
BANASHANKARI 3RD STAGE,
BANGALORE SOUTH,
BENGALURU-560085.
15. G. RAJAK
S/O RAJA KULLAYAPPA,
AGED ABOUT 37 YEARS,
R/AT HOUSE NO. 138, 2ND FLOOR,
3RD CROSS, 6TH BLOCK, 4TH MAIN,
BANASHANKARI 3RD STAGE,
BENGALURU 560 085.
16. RANJITH H. V.,
AGED ABOUT 43 YEARS,
S/O H.M. VIRUPAKSHAGOWDA,
STYLISH HOMES, NO. G-1,



1ST FLOOR, 4TH CROSS, KRISHNA LAYOUT,
NEAR GOVT SCHOOL, HULIMAVU,
BENGALURU-560076.

17. RAJESH KUMAR SAIN,
AGED ABOUT 38 YEARS,
S/O. PHODILAL SAIN,
NO. 35, KANNALLI GRAMA,
VEERABHADRASWAMY BHADAVANE,
DURGAPARAMESHWARI TEMPLE NEAR,
KODIGEHALI GRAMA PANCHAYATH,
KODIGEHALI, BENGALURU - 560091.
18. NAVEEN M. Y.,
AGED ABOUT 47 YEARS,
S/O. YOGA. M.L,
NO. 494, PETE MAIN ROAD,
PETE HEMAVATHI CIRCLE,
HOLENARASIPURA, HASSAN,
KARNATAKA-573211.
19. B.A. SANTHOSH
S/O B.K. ASHWATH,
AGED ABOUT 33 YEARS,
R/AT FLAT GF-01, RUCHITA BLOSSOM,
NEW KEMPEGOWDA LAYOUT,
KATHRIGUPPE, BANASHANKARI 3RD STAGE,
BENGALURU - 560 085.

...PETITIONERS

(BY SRI. VIVEK SUBBA REDDY, SENIOR COUNSEL FOR
SRI. PURUSHOTHAMAN K. N., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,



REVENUE DEPARTMENT,
M.S. BUILDING,
BENGALURU-560 001.

2. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD, KUMARA PARK WEST,
BENGALURU - 560 020.
3. THE SPECIAL LAND ACQUISITION OFFICER,
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD, KUMARA PARK WEST,
BENGALURU - 560 020.
4. THE EXECUTIVE ENGINEER,
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD, KUMARA PARK WEST,
BENGALURU - 560 020.
5. THE ASSISTANT EXECUTIVE ENGINEER
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD, KUMARA PARK WEST,
BENGALURU - 560 020.
6. THE SPECIAL TASK FORCE
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD, KUMARA PARK WEST,
BENGALURU-560 020.

...RESPONDENTS

(BY SRI. HARISHA A.S., AGA FOR R1;
SRI. AJAY KUMAR M., ADV. FOR R2 TO R6)



THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION PRAYING TO DIRECT THE RESPONDENTS (BANGALORE DEVELOPMENT AUTHORITY) TO CONSIDER THE REPRESENTATIONS SUBMITTED BY THE PETITIONERS VIDE ANNEXURE-G, G1 TO G18 IN RESPECT THE PROPERTY IN SY NO.35 (NEW SY.NO.123) MEASURING TO THE EXTENT OF 1 ACRE 10 GUNTAS SITUATED AT KANNAHALLI VILLAGE, YESHWANTHAPURA HOBLI, BENGALURU NORTH TALUK AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioners have sought for issuance of writ of mandamus to consider their representations at Annexures-G, G1 to G18 in respect to Survey No.35 (new Survey No.123) measuring an extent of 1 acre 10 guntas situated at Kannahalli Village, Yeshwanthapura Hobli, Bengaluru North Taluk. Petitioners have also sought for a direction to the respondents to act in accordance with order passed in W.P.No.24754/2025 at Annexure-F.

2. In terms of the representations of the petitioners at Annexures-G, G1 to G18, the petitioners



assert that they are owners of sites and refer to the documents of title in their favour. It is further submitted that the sites are formed in land that has been converted to non-agricultural purposes and layout plan has also been approved by the Village Panchayath. Reliance is placed on the observations made by the Division Bench in W.A.No.1783/2014 and it is submitted that necessary orders be passed dropping their lands from the acquisition process. The petitioners have relied upon the order passed in W.P.No.24754/2025 and it is submitted that the said writ petition is filed by the similarly placed site holders of Survey No.35 which is again the subject matter of the present petition.

3. It is submitted that the Division Bench in W.A.No.1783/2014 has passed certain observations relating to treating of site holders in land that is acquired by the respondent-BDA and submits that the observations made by the Division Bench in the writ appeal at



paragraph (b) may be directed to be taken note of and respondent - BDA pass appropriate orders.

4. Learned counsel Sri. Ajay Kumar M., appearing for the respondent - BDA submits that the case of the petitioners would be considered in terms of the observations of the Division Bench in W.A.No.1783/2014.

5. Heard both sides.

6. The assertion of the petitioners that W.P.No.24754/2025 relates to Survey No.35 of Kannahalli Village, Yeshwanthapura Hobli, Bengaluru North Taluk, in respect of which certain directions have been passed is not controverted by the other side.

7. Taking note that W.P.No.24754/2025 has been passed apparently with respect to site holders. The petitioners are prima-facie entitled to be treated on parity as the petitioners in W.P.No.24754/2025. Observations of the Division Bench in W.A.No.1783/2014 have been referred to in the order passed in W.P.No.24754/2025.



The observations at paragraph No.4 of the order of the Coordinate Bench are extracted as follows:

*"4. The Division Bench in **W.A.No.1783/2014** and connected matters, disposed on **22-02-2024** in the case of **BANGALORE DEVELOPMENT AUTHORITY & ANOTHER VS. SRI.R.SHANKARAN & ANOTHER** has held as follows:*

"ORDER

i) The above appeals filed by the BDA are allowed;

ii) The order dated 11.7.2014 passed by the learned Single Judge in WP No.32186/2010 and other connected writ petitions is set aside. The orders passed in writ petitions which are decided placing reliance on the order dated 11.7.2014 passed in WP No.32186/2010 and other connected writ petitions are also set aside;

iii) The preliminary notification bearing No.BDA/COMMR/DC(LA)/ALAO/158/2008-2009, Bangalore, dated 21.5.2008 and the final notification bearing No. UDD 51 MNX 2010, Bangalore, dated 18.2.2010 issued for acquisition of lands for the formation of the "Nadaprabhu Kempegowda Layout" are upheld subject to the following conditions:

a) With regard to the land owners (excluding the site owners):

i) All the land owners/writ petitioners who are seeking for dropping of their lands from



acquisition on the ground that their lands are (1) nursery lands; (2) situated within green belt; (3) totally built up; (4) that the buildings are constructed by religious/charitable educational institutions; (5) that similar adjoining lands have been either left out from acquisition or de-notified, are permitted to make an application to the BDA seeking for dropping of their lands from acquisition by producing all such material that they deem fit/necessary in support of their applications within 3 months from today;

(ii) The BDA shall consider each of the said application/s keeping in mind the status of the lands as on the date of the preliminary notification and without taking into consideration any developments / improvements / constructions made subsequent to the preliminary notification;

iii) The BDA shall complete the exercise of considering the applications of the writ petitioners and deciding on the same within an outer limit of six months from today;

iv) The BDA, upon consideration of the applications shall intimate the writ petitioners about its decision;

v) If the BDA is of the opinion that the acquisition will have to be proceeded with, the BDA is at liberty to proceed further in accordance with law;

b) Insofar as the site owners who have not made an application as contemplated in para (iii)(a) hereinabove:



- i) They shall register themselves for allotment under the BDA (Allotment of Sites) Rules, 1984 within three months from today by paying the registration fee. However, payment of initial deposit by them is exempted. The necessary documents along with the said applications are also to be filed to enable the BDA to verify the same;*
- ii) The BDA shall treat the applicants as being entitled for priority allotment and allot each of them a site measuring 30x40 feet in the Nadaprabhu Kempegowda Layout at the prevailing allotment prices subject to the applicants satisfying the dual requirements of allotment under the Rules that they must be the residents of Bengaluru (for 10 years) and should not be owning any residential property in Bengaluru;*
- iii) In case the applicants/writ petitioners do not fulfill the requirements for allotment under the Rules, 1984 they may be considered for allotment of 20x30 feet sites as per the Bangalore Development Authority (Incentive Scheme for Voluntary Surrender of Land) Rules, 1989;*
- c) Insofar as the owners of residential sites who form part of a layout and who have sought for dropping their lands from acquisition in accordance with para (iii)(a) hereinabove, the BDA shall consider the same having regard to the observations made at para 66 hereinabove. If the BDA rejects their applications, the site owners who have first filed applications pursuant to para (iii)(a) hereinabove, shall be entitled to a further period of one month after the decision as contemplated therein is*



intimated to opt to and apply in the manner as contemplated in para (iii)(b) hereinabove.

iv) Till the aforesaid exercise directed to be undertaken by the BDA and the applications filed by the writ petitioners, either for allotment of sites or for dropping of the lands from acquisition are considered, their possession shall not be disturbed and the existing construction shall not be demolished.

v) In view of the allowing of the above appeals, pending interlocutory applications, if any, stand disposed of.

No costs."

8. Insofar as site holders is concerned, from the order of the Division Bench extracted above at paragraphs (b) (i) to (iii) and (c), could be of relevance. In light of the stand by the counsel for respondent - BDA, the petition is disposed of directing the respondent-BDA to consider the representations of the petitioners at Annexures-G to G18, in terms of the observations made above, more particularly taking note of the observations of the Division Bench extracted above and such consideration to be completed within a period of twelve weeks from the date of receipt of certified copy of the order.



9. Till such consideration, no precipitative action be taken against the petitioners. Needless to state, petitioners are also to maintain status-quo regarding the nature of property and not to create third party rights till the respondent-BDA takes a decision as directed above.

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

**Sd/-
(S SUNIL DUTT YADAV)
JUDGE**

MCR