



CNR: KAHC010027022016

NC: 2026:KHC:54530
WP No. 10860 of 2016

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.10860 OF 2016 (KLR-LG)

BETWEEN:

SHRI. MUNIYAPPA
S/O LATE GURAPPA
AGED ABOUT 65 YEARS,
OCC: AGRICULTURISTS
R/O MYLANAHALLI VILLAGE,
JALA HOBLI,
BENGALURU NORTH DISTRICT.

...PETITIONER

(BY SMT. VIJAYA M.N., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
REVENUE DEPARTMENT
MS BUILDING
AMBEDKAR VEEDHI
BENGALURU-560001.
2. THE SPECIAL DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT
BENGALURU.



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3. THE TAHSILDAR
DEVANAHALLI TALUK
BANGALORE RURAL DISTRICT
DEVANAHALLI-562110.
4. KARNATAKA STATE INDUSTRIAL
INVESTMENT
AND DEVELOPMENT CORPORATION LTD.
REP. BY ITS MANAGER
MSIL HOUSE NO.36
CUNNINGHAM ROAD, BENGALURU
5. THE INTERNATIONAL AIRPORT
AUTHORITY OF INDIA
DEVANAHALLI, BENGALURU
RURAL DISTRICT
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICERS
BENGALURU.
6. THE KARNATAKA STATE INDUSTRIAL AREA
DEVELOPMENT BOARD
ZONAL OFFICE, NO.3/2
3RD FLOOR, THIMMAIAH TOWERS
1ST CROSS, GANDHINAGAR
BENGALURU – 560 009.
7. THE TAHSILDAR
YELAHANKA TALUK
BENGALURU.

...RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1-R3 & R7;
V/O DATED 30.09.2026 NOTICE TO R4 IS DISPENSED WITH;
SRI. JOSHUA SAMUEL AND SRI. MARUTHI S.H., ADVOCATES
FOR R5 & R6)



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ENDORSMENT DATED 16.9.2015 ISSUED BY THE RESPONDENTS NO.3 PRODUCED VIDE ANNEXURE-L; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. In this Writ Petition, petitioner is assailing the order dated endorsement dated 16.09.2015 (Annexure-L) issued by respondent No.3, inter alia, sought for a direction to respondent – authorities to grant alternative land in place of land bearing Survey No.7 measuring 2 acres 35 guntas, as the said land has been acquired by the respondent – authority for the purpose of International Airport, during 2000.

2. The relevant facts for adjudication of this Writ Petition are that the petitioner was cultivating the land bearing Sy.No.7 to an extent of 2 acres 35 guntas situate at Mylanahalli Village, Bengaluru North Taluk, for more than three decades as an



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unauthorised occupant and as such the petitioner has made an application seeking regularisation of the same and accordingly, by order dated 24.09.1994, the Committee for Regularisation of Unauthorised Occupations, has allotted land in question to the petitioner, and thereafter, the saguvali chit was issued on 16.10.1997 as per Annexure-B to the Writ Petition.

3. It is also to be noted that respondent No.2 has set aside the grant made in favour of the petitioner on the ground that the land in question which has been granted to the petitioner is required for construction of International Airport through KIADB and therefore, being aggrieved by the same, the petitioner has approached the Karnataka Appellate Tribunal challenging the order passed by respondent No.2. It is also forthcoming from the Writ Petition that petitioner herein has approached this Court in W.P.No.16815/2004, wherein this Court by order dated 08.09.2004 (Annexure-E) made an observation as to conduct disciplinary proceedings against officials of the Government for having not allotted alternative land to the petitioner. It is also forthcoming from the Order Sheet wherein this Court has directed the respondent – authorities to consider the case of



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the petitioner for allotment of alternative land. However, in the meanwhile, by the impugned endorsement dated 16.09.2015 (Annexure-L), wherein, the respondent No.3 has rejected the application made by the petitioner as to considering his case for grant of alternative land in Devanahalli Taluk. Hence, this Writ Petition.

4. Heard Smt. Vijaya M.N., learned counsel appearing for the petitioner and Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondent Nos.1, 2, 3 and 7 and Sri. Joshua Samuel, learned counsel appearing for the respondent No.5.

5. It is contended by Smt. Vijaya M.N., learned counsel appearing for the petitioner, that the land in question was granted to the petitioner and thereafter the said land was taken back by the respondent – authorities for the purpose of construction of International Airport, however, the respondent – authorities have not taken any steps to allot alternative land to the petitioner and therefore, it is argued by the learned counsel appearing for the petitioner that the reasons assigned



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in the impugned order requires to be interfered with by this Court.

6. It is also contended by the learned counsel appearing for the petitioner by filing a Memo stating that as this Court has directed learned Additional Government Advocate on the previous occasion to identify the vacant Government land in the vicinity of of Devanahalli Taluk and in this regard, petitioner has produced the RTC extract in respect of the land bearing Sy.No.110 of Tylagere Village, Kundana Hobli, Devanahalli Taluk, wherein an extent of 211.16 acres of land has been earmarked for gomal land. The petitioner has also produced the RTC in respect of the land bearing Sy.No.45 of Anneshwara Village, Kasaba Hobli, Devanahalli Taluk, wherein 4 acres of Government land is available for allotment and accordingly, sought for interference of this Court.

7. Per contra, Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondent Nos.1, 2, 3 and 7, sought to justify the impugned order, stating that the reasons assigned by respondent No.3 are just and Proper as the Mylanahalli Village is situate within 18 Kms. from the limits



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of BBMP and accordingly, sought for dismissal of the Writ Petition.

8. Sri. Joshua Samuel, learned counsel appearing for the respondent No.5, argued on similar lines and sought for dismissal of the Writ Petition.

9. In the light of the submissions made by the learned counsel appearing for the parties and on careful consideration of the Grant Certificate produced at Annexure-B would indicate that an extent of about 2.35 acres of land in Mylanahalli Village, Devanahalli Taluk was granted in favour of the petitioner as an unauthorised occupant and thereafter, saguvali chit has been issued in favour of the petitioner. It is also to be noted that land in question granted in favour of the petitioner was cancelled on account of granting very same land for construction of international airport through respondent – KIADB. In this regard, petitioner has approached this Court challenging the suo-motu proceedings initiated by the respondent – authorities, in W.P.No.16815/2004 and this Court, by order dated 08.09.2004 (Annexure-E), allowed the Writ Petition and as such writ of mandamus was issued for the



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Committee for Regularisation of Unauthorised Occupations or Land Grant Committee to be constituted within one month as stated by the learned High Court Government Pleader appearing therein and to consider the case of the petitioner, within three months from the date of receipt of certified copy of the order dated 08.09.2004.

10. In this regard, this Court has directed the Registry to send a copy of the order dated 08.09.2004 to the Revenue Secretary and Deputy Commissioner, Bengaluru Urban District, for compliance of the order. Though this Court has pointed out for the grant of alternative land as per Annexure-E to the Writ Petition, however, as on today, no decision has been taken by the authorities and on the other hand, vide order dated 16.09.2015(Annexure-L), the respondent No.3 has rejected the claim made by the petitioner.

11. In the backdrop of these aspects, it is not in dispute that the land in question has been granted to the petitioner as per Annexure-B to the Writ Petition. This Court in W.P.No.16815/2004 has categorically made an observation that



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the petitioner has to be compensated by allotting an alternative land to the petitioner.

12. In that view of the matter, I am of the view that, as the reason assigned in the impugned endorsement dated 16.09.2015 (Annexure-L), rejecting the application is incorrect as the said endorsement runs contrary to the order passed by this Court at Annexure-E, and in that view of the matter, the Writ Petition is required to be allowed and accordingly, I pass the following:

ORDER

(i) The Writ Petition is allowed and the impugned endorsement dated 16.09.2015 (Annexure-L) is hereby quashed.

(ii) Since the matter is of the year 2016 and as the petitioner herein has stated that Government land is available in the adjacent village at Tailagere as well as Mylanahalli Village of Devanahalli Taluk, therefore, respondent No.2 is directed to identify the suitable land or ascertain the details of the land provided above as per the Memo filed today and to allot land in



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lieu of the grant already made in favour of the petitioner within six months from the date of receipt of certified copy of this order.

**SD/-
(E.S.INDIRESH)
JUDGE**

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List No.: 1 Sl No.: 2