



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. 1841 OF 2026 (LA-UDA)

BETWEEN:

1. SMT. JAVARAMMA
W/O SIDDEGOWDA
AGED ABOUT 89 YEARS
NO.1, BADAGALAHUNDI
JAYAPURA HOBLI, KERGALI MYSORE
KARNATAKA - 570 026

...PETITIONER

(BY SRI. SHARATH CHANDRA N., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
435, 4TH FLOOR, VIKAS SOUDHA
BANGALORE-560 001
REPRESENTED BY ITS SECRETARY
2. THE COMMISSIONER
MYSORE URBAN DEVELOPMENT AUTHORITY
JHANSI LAKSHMI BHAI ROAD
MYSORE - 570 005

Digitally
signed by
VIJAYA P
Location:
HIGH COURT
OF
KARNATAKA



3. SPECIAL LAND ACQUISITION OFFICER
MYSORE URBAN DEVELOPMENT AUTHORITY
JHANSI LAKSHMI BHAI ROAD
MYSORE - 570 005

...RESPONDENTS

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

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER QUASHING THE PORTION OF THE PRELIMINARY NOTIFICATION BEARING NUMBER LAQ.CR(1) PR38/97-98 DATED 15.07.1997 ISSUED BY THE RESPONDENT NO. 2 I.E., MYSORE URBAN DEVELOPMENT AUTHORITY, AT ANNEXURE - A AS INVALID IN SO FAR AS IT RELATES TO THE PROPERTIES OF THE PETITIONER HEREIN WHICH IS MENTIONED AT SL. NO. 228 AND 361 THEREIN, 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

Petitioner has sought for quashing of the Preliminary Notification dated 15.07.1997 issued by respondent No.2-Muda insofar as it relates to the properties of the petitioner.

2. Petitioner submits that though the Preliminary Notification is of the year 1997, no steps have been taken by the respondent-authority to pass Final Notification and to effectuate the acquisition proceedings.

3. Counsel for respondent Nos.2 and 3 files a memo and submits that the survey numbers of the petitioner do not find a mention in the Final Notification issued on 29.03.2001. The observations made in W.P.1881/2026 may be taken note of.

4. The observations made in W.P.No.1881/2026 at paragraph Nos.4 and 5 are extracted below:

"4. It is to be noted that it is admitted that there was a preliminary notification dated 15.07.1997, the further fact that though final notification is passed, it does not contain the survey number of the petitioner's land, is also not



controverted by the respondent. If that were to be so, inaction of the authorities in proceeding further to the preliminary notification passed way back in the year 1997 could be construed, as the respondent authority has abandoned the acquisition proceedings. The order passed in W.P.No.14302/2021 also deals with an identical factual circumstance and the observations made therein are noted.

5. *Accordingly, it is hereby declared that the preliminary notification insofar as the petitioner's land in Survey No.2, measuring an extent of 1.22 acres situated at Keragalli Village, Jayapura Hobli, Mysore Taluk and District, more fully described in the schedule has been abandoned."*

5. Taking note of the order passed with respect to the same notification declaring that the acquisition proceedings have been abandoned, on parity, an identical order may be passed in the present matter also.

6. Taking note that the Preliminary Notification is of 15.07.1997 and that till date no proceedings have been initiated to effectuate the land acquisition proceedings, it would be appropriate to construe as the acquisition proceedings have been abandoned.



7. Accordingly, the Preliminary Notification insofar as the petitioner's land as described in the Schedule is declared to have been abandoned.

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

SD/-
(S SUNIL DUTT YADAV)
JUDGE