



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 2866 OF 2026 (LA-BDA)

BETWEEN:

1. SMT. LOLAKSHI
W/O. LATE LAKSHMANA,
AGED ABOUT 57 YEARS
2. SRI C L NAVEENKUMAR,
S/O. LATE LAKSHMANA,
AGED ABOUT 36 YEARS
3. SMT. CHITHRA,
D/O. LATE LAKSHMANA,
AGED ABOUT 31 YEARS

ALL ARE R/AT NO. 112,
CHIKKA KODIGE HALLI,
KODIGEHALLI POST,
YASHWANTHPURA HOBLI,
BANGALORE NORTH TALUK
BANGALORE-560 060.

... PETITIONERS

(BY SRI. RAKSHITHA D J., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT,



M.S.BUILDING,
DR.B.R.AMBEDKAR ROAD,
BANGALORE-560 001.
REPD. BY ITS PRINCIPAL SECRETARY
TO GOVERNMENT

2. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
KUMARAPARK WEST,
T.CHOWDAIAH ROAD,
BANGALORE-560 020.
3. THE SPECIAL LAND ACQUISITION OFFICER,
BANGALORE DEVELOPMENT AUTHORITY,
KUMARAPARK WEST,
T.CHOWDAIAH ROAD,
BANGALORE-560 020.

... RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1;
SRI B. LETHIF, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO 1. ISSUE A WRIT OF MANDAMUS OR ORDER OR DIRECTION, IN THE NATURE OF A WRIT, DIRECTION TO THE RESPONDENT TO CONSIDER THE REPRESENTATION DATED 21.05.2024 VIDE ANNEXURE-L AND OBJECTIONS VIDE ANNEXURE-N1 IN TERMS OF ORDER PASSED BY THE DIVISION BENCH IN WA NO.1783/2014 AND CONNECTED MATTERS BY A COMMON ORDER DATED 22.02.2024 VIDE ANNEXURE-K2 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

In light of the oral request made by the learned counsel for the petitioners, he is permitted to amend the schedule.

Petitioners have sought for issuance of writ of mandamus to direct the respondents to consider the representation dated 21.05.2024 at Annexure-L and objections at Annexure-N1 in terms of the order passed by the Division Branch in W.A.No.1783/2014 and connected matters disposed of on 22.02.2024.

2. Though certain other prayers are sought for, learned counsel for the respondent - BDA submits that if the petitioners were to limit their prayer to prayer No.1, in light of the order passed in W.A.No.1783/2014 and connected matters, respondent - BDA would reconsider the same as per law.

3. Accordingly, taking note of the stand of the learned counsel for the respondent - BDA, the present



petition is disposed of only insofar as prayer No.1 is concerned.

4. Petitioners claim to be the landowners whose land came to be acquired for 'Nadaprabhu Kempegowda Layout'. The petitioners claim that their land be left out of the acquisition process. Reliance is placed on the judgment of the Division Bench in W.A.No.1783/2014.

5. The operative portion of the judgment passed in W.A.No.1783/2014 is extracted as below:

"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 denotified, 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."

6. It is noticed that the direction insofar as the landowners is found at para (a)(i) to (v). Taking note that the Co-ordinate Bench in W.P.No.29798/2025 has also passed similar order. The observations of the Co-ordinate Bench in W.P.No.29798/2025 at para 9 to 11 reads as follows:

*"9. In view of the settled position of law laid down by the Division Bench in '**SRI.R.SHANKARAN**' (supra) followed by the Co-ordinate Bench in '**SMT.YELLAMANCHELE VIDHULATHA DEVI**' (supra), this Court finds no reason to take a different view. Accordingly, this writ petition is **disposed of** in terms of the direction issued in '**SRI.R.SHANKARAN**' (supra).*

*10. The respondents-BDA are directed to consider the representation submitted by the petitioner at Annexure-A dated 03.09.2025, as per the directions issued in the case of '**SRI.R.SHANKARAN**' (supra), within the time fixed in the case of '**SRI.R.SHANKARAN**' (supra).*



11. In the meanwhile, the respondents-BDA shall not take any precipitative steps against the petitioner till the representation is duly considered and order is passed in accordance with law."

7. Accordingly, in the present matter also taking note of the stand of the learned counsel for the respondent, respondent-BDA is directed to consider the representation of the petitioners at Annexure-L and the objections at Annexure-N1 and dispose of the same keeping in mind the directions of the Division Bench in W.A.No.1783/2014. Needless to state the respondent - BDA shall not take any precipitative steps to dispossess the petitioners till representation is duly considered and order is passed in terms of the observations made above.

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

SD/-
(S SUNIL DUTT YADAV)
JUDGE

VP