



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 9<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV**

**WRIT PETITION NO. 2952 OF 2026 (LA-UDA)**

**BETWEEN:**

1. SMT MAHADEVI  
W/O LATE NAGARAJU,  
AGED ABOUT 57 YEARS,  
R/O NO. 769,  
LALITADRIPURA VILLAGE,  
VARUNA HOBLI, MYSURU-570010.

...PETITIONER

(BY SRI. LINGARAJU K.R., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS PRINCIPAL SECRETARY,  
URBAN DEVELOPMENT DEPARTMENT,  
VIDHANA SOUDHA,  
DR B R AMBEDKAR VEEDHI,  
BENGALURU-560001
2. MYSURU URBAN DEVELOPMENT AUTHORITY  
REPRESENTED BY ITS COMMISSIONER,  
J.L.B. ROAD, MYSURU-570007.



3. THE SPECIAL LAND ACQUISITION OFFICER  
MYSURU URBAN DEVELOPMENT AUTHORITY,  
JLB ROAD, MYSURU-570007.

...RESPONDENTS

(BY SRI.HARISHA.A.S, AGA FOR R1  
SRI G.M.ANANDA, ADVOCATE FOR R2 AND R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE PRELIMINARY NOTIFICATION BEARING NO. LAQ(4)CR31/2005-06 DATED 13/12/2006, ISSUED BY THE RESPONDENT NO. 2 VIDE ANNEXURE A. PUBLISHED UNDER SECTION 17(1) OF THE KARNATAKA URBAN DEVELOPMENT AUTHORITY ACT, 1987 IN RESPECT OF THE PETITIONER LAND BEARING SURVEY NO. 195/3 (OLD 195/2) MEASURING 2 GUNATS SITUATED AT LALITHADRIPURA VILLAGE, VARUNA HOBLI, MYSURU TALUK AND DISTRICT (SL. NO 175 IN PRELIMINARY NOTIFICATION) AND GRANT SAME RELIEF AS IT IS ALREADY PASSED IN SIMILAR WRIT PETITION., NO.34838/2025 DATED 02/12/2025 VIDE ANNEXURE-D.

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 submits that despite the Preliminary Notification of 13.12.2006, the respondent-authority has not taken any steps to effectuate the acquisition proceedings. It is submitted that in light of substantial lapse of time between the Preliminary Notification, it can be taken that the proceedings have been abandoned. Reliance is placed on the observations of the Co-ordinate Bench in W.P.No.34838/2025 relating to the same Notification.

2. Learned counsel Sri.G.M.Anand appearing to respondent Nos.2 and 3 submits that the order in W.P.No.34838/2025 is a matter of record and the Court may pass appropriate orders.

3. It is not in dispute that after the Preliminary Notification dated 13.12.2006, till date the respondent-authority has not taken further steps to effectuate the acquisition proceedings.



4. The observations made in W.P.No.34838/2025 at paragraph No.4 onwards is extracted below:

*"4. The acquisition proceedings were initiated by preliminary notification dated 13.12.2006, proposing to acquire the entire land in Sy.No.119/7, measuring 2 guntas situated at Lalithadripura village, Varuna Hobli, Mysuru Taluk (for short 'the schedule property') and other surroundings lands for the purpose of forming a residential layout known as "Lalithadri Nagar, 2<sup>nd</sup> Stage." The petitioners' lands are situated at Lalithadripura village, Varuna Hobli, Mysuru Taluk. Learned counsel for the petitioners submits that despite the preliminary notification issued in the year 2006, the respondent authority has neither taken possession nor completed the acquisition proceedings. Hence, it is contended that the acquisition proceedings has lapsed.*

*5. Learned counsel on both sides, rely upon the decisions of the co-ordinate bench of the Court in the case of Sri Kullachari and Others v. State of Karnataka and others<sup>1</sup> (Sri Kullachari) and in the case of Smt. Sannaningamma and Others v. State of Karnataka and Others<sup>2</sup> (Smt. Sannaningamma), wherein the very same preliminary notification dated 12.12.2006 was quashed insofar as the land belonging to the petitioners therein were concerned. In those cases, the co-ordinate bench held that the claim for formation of layout had lapsed, as the respondent-authority had not passed an award and not taken possession of the schedule properties therein.*

*6. The co-ordinate bench of this Court in the case of Smt. Sannaningamma and others v. State of Karnataka and others, by relying upon Sri Kullachari, has observed under:*

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<sup>1</sup> W.P.No.45022/2017, D.D.26.10.2017

<sup>2</sup> W.P.No.25692-25693/2018, D.D.19.06.2018



4. *Learned counsel for the petitioners submit that no declaration or final notification came to be issued under Section 19 of the Act and as such, acquisition has elapsed. He also submits that under similar circumstances, Co-ordinate Benches of this Court in W.P.Nos.49714-715/2016 and connected matter disposed of on 24.10.2016 and W.P.No.45022/2017 (LA-UDA) disposed of on 26.10.2017 had granted relief to the petitioners in respect of land owners therein and copies of the orders passed in said writ petitions are produced at Annexures-'E' and 'E-1' respectively, and prays for similar order being passed in these writ petitions also by quashing the preliminary notification in so far as lands of petitioners are concerned.*

5. *Learned counsel appearing for respondents does not dispute the fact that under similar circumstances preliminary notification insofar as petitioners therein are concerned having been quashed in terms of the order produced at Annexures-'E' and 'E-1'.*

6. *In the light of aforestated facts and circumstances and submissions made by learned counsel appearing for parties and order passed by the Co-ordinate Benches referred to herein supra being squarely applicable to the facts on hand, petitioners are entitled to succeed in these petitions also. Hence, preliminary notification dated 12.12.2006- Annexure-A , insofar as the lands belonging to the petitioners herein in Survey No.10/1 situated at Sarakari Uttanahalli, Varunal*



*Hobli, Mysuru Taluk and District measuring 0.01.12.00 guntas of land in respect of petitioner No.1 and land measuring 0.10.08.00 guntas of land belonging to petitioner Nos.2 to 27 is hereby quashed. Accordingly, writ petitions are allowed.*

*7. In the present case, the petitioners have established that neither possession has been taken nor award passed by the respondent-authority. The decisions placed reliance squarely applies to the present case. Accordingly, the following:*

**ORDER**

- i. The writ petition is **allowed**.*
- ii. The impugned notification dated 13.12.2006 (Annexure-A) is hereby **quashed** insofar as the petitioners' lands are concerned."*

5. Taking note that the petitioner's property also falls within the same Notification of 13.12.2006 and taking note of the observations in W.P.No.34838/2025 extracted above, it could be stated that the acquisition proceedings have been abandoned and accordingly, the same could be declared as lapsed.

6. Accordingly, taking note of the above, the petition is **allowed**. Impugned Notification dated 13.12.2006 is hereby quashed insofar as the petitioners' lands are concerned, while



observing that the proceedings are abandoned insofar as petitioner's lands are concerned.

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

In view of disposal of the petition, I.A.No.1/2026 does not survive for consideration. Accordingly, the same is *disposed of*.

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