



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. 3691 OF 2024 (LA-KIADB)

BETWEEN:

1. SRINIVAS
S/O CHANNAKESHAVAGOWDA
AGED ABOUT 65 YEARS
R/O NO.703, 3RD CROSS
MAHADESWARA LAYOUT
MYSORE-16

... PETITIONER

(BY SRI. HALLI SHANTAPPA BASAPPA., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF COMMERCE
AND INDUSTRIES,
VIKASA SOUDHA
BENGALURU-560 001
REPT BY ITS CHIEF EXECUTIVE OFFICER
2. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA
BENGALURU-560 001
REPT BY ITS UNDER SECRETARY
TO THE GOVERNMENT
3. THE SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD

Digitally
signed by
VIJAYA P
Location:
HIGH
COURT OF
KARNATAKA



REGIONAL OFFICE, KRS ROAD
MYSORE-570 016

... RESPONDENTS

(BY SRI. HARISHA A.S., AGA FOR R1 AND R2;
SRI P.V. CHANDRASHEKAR, ADVOCATE FOR R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE NOTIFICATION NO. CI:317:SPQ:2006, BENGALURU: DATED 05.12.2006, VIDE ANNEXURE-D ISSUED BY RESPONDENT NO.1 TO THE WRIT PETITION 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 petitioner has sought for setting aside of the notification at Annexures-D dated 05.12.2006 and the notification at Annexure-E dated 31.03.2021 and has also sought for setting aside of the endorsement at Annexure-J.

2. The Authority has issued an endorsement stating that reference has been made and that amount of compensation is deposited before the Reference Court and that the petitioner could withdraw the same. Though the



petitioner has sought for setting aside of the notification dated 05.12.2006, however, the petitioner restricts his grievance for consideration of allotment of alternative site.

3. Sri. P. V Chandrashekar, learned counsel appearing for the KIADB submits that this is the matter which relates to the year 2006 in which the final notification is passed and as reference is already made, question of considering any aspect relating to the validity of notification does not arise. Insofar as the request for alternative site is concerned, it is submitted that there is no scheme for allotment of alternative site for the acquisition in question. It is further submitted that insofar as the same petitioner with respect to the adjacent site wherein identical prayer was made in W.P.No.4393/2024, this Court has rejected the petition and the same order may be passed as all contentions are identical.

4. The observations made in W.P.No.4393/2024 are as follows:



"ORDER

The petitioner has sought for setting aside of the notification dated 05.12.2006 at Annexure-D. It is noticed that Annexure-D is the notification issued under Section 28(4) of the Karnataka Industrial Areas Development Act, 1966 (for short 'KIAD Act'). The petitioner has also challenged the notification at Annexure-E which is a notification issued by the Government declaring that the area of the land in question mentioned in schedule are specified to be areas 'City Municipal Council Area of Hootagalli'. Reference is made to the density of population and other factors.

2. The petitioner has also challenged the endorsement at Annexure-J. In terms of the said endorsement, the respondent - KIADB has submitted that the land has already been transferred pursuant to the acquisition proceedings and that the claim of the petitioner cannot be considered till durasthi proceedings are concluded. It is further submitted that the claim for compensation could be considered only after durasthi proceedings are completed.

3. Learned counsel Sri. P.V. Chandrashekar files a memo and submits that award has been passed and compensation has



been deposited in LAC.No.15/2014. Further it is submitted that the request of the petitioner for an alternative site cannot be considered in the absence of any scheme.

4. *It is to be noticed that petition is filed belatedly, award has been passed and amount has already been deposited in the reference proceedings, and the said reference proceedings are registered as LAC.No.15/2014. The petition itself is filed only in the year 2024. Only on the ground of delay without entering into the merits, the question of challenge to the notification cannot be entertained.*

5. *Clearly, all admitted facts which are the matter of record would indicate that award has been passed and amount is deposited in LAC.No.15/2014. If that were to be so, the present petition is filed more than 10 years after the reference proceedings having been initiated, cannot be considered at this stage.*

6. *Insofar as the request for alternative site as made out by the petitioner, the said request cannot be considered without there being any applicable scheme by the KIADB for consideration of allotment of alternative sites, as in the case of BDA and several authorities.*



Accordingly, petition is rejected. The rights of the petitioner to claim compensation is kept open."

5. The contention of the learned counsel for the KIADB that the present writ petition is identical to W.P.No.4393/2024 filed by the same petitioner, is not controverted. Accordingly, it would be appropriate to dismiss the present writ petition as well on same terms.

6. As rightly contended by the learned counsel for the KIADB, any action to allot alternative site would be impermissible. Accordingly, the writ petition is ***rejected*** while observing that the request for allotment of alternative site cannot be considered without there being any applicable scheme by the KIADB for consideration of allotment of alternative sites, as may be permissible in the case of BDA and other authorities.

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

VP