



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 3338 OF 2026 (LA-KIADB)

BETWEEN:

1. SRI B R RAVICHANDIRAN
S/O. LATE M. RAJAMANIKYAM, AGED ABOUT 66
YEARS, R/O.NO.22/1, 1ST MAIN ROAD,
VENKATESHWARA NILAYA, BELMAR LAYOUT, R.K.
NAGARA, NAGASANDRA POST, BENGALURU 560073.

(PETITIONER IS NOT CLAIMING THE BENEFIT OF
SENIOR CITIZENSHIP)

...PETITIONER

(BY SRI. RAMESH K R.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF INDUSTRIES AND COMMERCE,
REPTD. BY ITS PRINCIPAL SECRETARY, VIDHANA
SOUDHA, BENGALURU-560 001.
2. THE MANAGING DIRECTOR,
KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD, NO. 49, 5TH FLOOR, KHANIJA BHAVAN,
RACE COURSE ROAD,
BANGALORE- 560001.
3. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD, NO. 14/3, 1ST FLOOR,
MAHARSHI ARAVINDA BHAVAN,
NRUPATHUNGA ROAD,



BANGALORE- 560001

...RESPONDENTS

(BY SRI. A.S. HARISH, AGA FOR R1, SRI ASHOK N. NAIK, ADVOCATE FOR R2 AND R3.)

THIS WP UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA IS FILED PRAYING TO QUASH THE IMPUGNED THE PRELIMINARY NOTIFICATION DATED 29/01/2003 BEARING NO. CI/196/SPQ/98 ISSUED BY R1 U/S 28(1) OF KIADB AT ANNEXURE-H.

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has challenged the writ in the nature of certiorari to set aside the preliminary notification dated 29.01.2003 issued by the first respondent at Annexure-H.

2. It is submitted that, though the respondent Karnataka Industrial Area Development Board (KIADB) has notified the land belonging to the petitioner in Survey No.106 of Thotadaguddahalli Village, Dasanapura Hobli, Bangalore North Taluk, by way of preliminary notification



on 29.01.2003, till date, no action has been taken by the respondent to complete the acquisition process.

3. It is submitted that with respect to the same notification of 29.01.2003, the Co-ordinate Bench of this Court in W.P.No.6761/2021, in the case of **Bylanjanappa -Vs- State of Karnataka and others**, has set aside the preliminary notification.

4. Accordingly, it is submitted that, in the present petition as well, in light of the inaction of the respondent-KIADB as well as the State, to complete the process of acquisition, the Court may on parity set aside the preliminary notification insofar as the petitioner's land is concerned.

5. Observations made in W.P.No.6761/2021 reads as follows:

"3. In addition to reiterating the various contentions urged on behalf of the petitioner and referring to the documents produced by the petitioner, learned counsel for the petitioner submits that it is not in dispute that subsequent to issuance of the preliminary notification dated 29.01.2003, issued under Section 28(1) of the Karnataka Industrial Areas



Development Act, 1966 (for short "the KIAD Act"), respondent No.3 has not issued the final notification under Section 28(4) of the KIAD Act so far and as such, the entire acquisition has lapsed. It is therefore submitted that the impugned preliminary notification deserves to be quashed.

In support of his contentions, learned counsel invites my attention to the following decisions of this Court:-

- i. ***Karnataka Industrial Areas Development Board and other vs. Smt. Anitha Purnesh in W.A. No.2402/2014 dated 12.04.2016.***
- ii. ***Sri Munivenkatappa and others vs. The state of Karnataka in W.P Nos.58842-58344/2016 dated 19.07.2018***
- iii. ***Smt Indramma and others vs. State of Karnataka in W.P Nos.10667-70/2018 dated 05.07.2019***
- iv. ***Sri.K.Gangadhar and others vs. State of Karnataka and others in W.P Nos. 112501-112506/2014 dated 18.02.2016***
- v. ***M. Ramakrishna Reddy vs. State of Karnataka & Others - W.P.No.6354-6356/2011 dated 01.12.2011.***
- vi. ***Smt. N. Rekha vs. State of Karnataka and Others - W.P.No.32704-32705/2017 dated 05.12.2017***
- vii. ***Smt. N. Rekha vs. State of Karnataka and Others - W.P.No.36021-36026/2017dated 06.02.2018***
- viii. ***Smt. N. Rekha vs. State of Karnataka and Others - W.P.No.35031/2017 and connected matters dated 19.01.2018***

4. Per contra, learned counsel for respondent Nos.2, 3 and 4, in addition to reiterating the various contentions urged in the statement of objections, submit that there is no merit in the petition and that the same is liable to be dismissed.

5. Though several contentions have been urged by both sides in support of their respective claims, the material on record indicates that despite issuance of the preliminary notification as long back as on 29.01.2003, the KIADB has



not taken any steps to proceed with the acquisition proceedings and has neither passed an order under Section 28(3) of the Act nor issued a final notification so far. In this context, having regard to the aforesaid decisions of this Court and the long and inordinate delay and laches on the part of the respondents in failing to take steps to complete the acquisition proceedings despite a lapse of almost 18 years, I am of the considered opinion that the acquisition proceedings pursuant to the impugned preliminary notification under Section 28(1) of the KIAD Act deserves to be quashed.

6. In the result, I pass the following:

ORDER

i) Petition is hereby ***allowed***.

ii) The impugned acquisition proceedings pursuant to the impugned preliminary notification dated 29.01.2003, issued by the KIADB under Section 28(1) of the KIAD Act is hereby quashed insofar as the property of the petitioner bearing Sy.No.101 (Old No.85, Block 4), measuring 1 acre, situated at Totadaguddadahalli, Dasanapura Hobli, Bengaluru North Taluk, Bengaluru, is concerned.

iii) The jurisdictional Tahsildar is directed to take necessary steps to restore the revenue records into the name of the petitioner within a period of three months from the date of receipt of a copy of this order.

iv) Liberty is reserved in favour of the petitioner to institute appropriate proceedings against the respondents for the alleged loss caused to the petitioner on account of the respondents not continuing the acquisition proceedings even after issuance of preliminary notification from 2003 onwards, till today."

6. Taking note of the fact that after the preliminary notification was passed on 29.01.2003, no steps have been taken to complete and effectuate the



acquisition proceedings, it could be declared that the proceedings have been abandoned and accordingly lapsed.

7. Taking note of the observations made in W.P.No.6761/2021 and noticing that the petitioner is identically situated on parity as well, the petition requires to be allowed. Notification under Section 28(1) of the KIAD Act and so far as petitioner's land in Survey No. 106 of Thotadaguddahalli Village, Dasanapura Hobli, Bangalore-North Taluk is set aside.

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

Sd/-
(S SUNIL DUTT YADAV)
JUDGE