



CNR: KAHC010094462016

NC: 2026:KHC:35999
WP No. 43522 of 2016

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 43522 OF 2016 (LA-BDA)

BETWEEN:

SRI. M. NANJUNDAPPA
S/O MUNIVENKATAPPAA
AGED ABOUT 70 YEARS
R/AT KANESHUMARI NO.124,
KHATA NO.115,
ULLAL BASTI VILLAGE
ULLAL POST,
YASHVANTHPURA HOBLI
BANGALORE NORTH TALUK

...PETITIONER

(BY SRI. LOHITASWA BANAKAR, ADVOCATE)

AND:

1. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY
KUMARAPARK WEST
SANKEY TANK ROAD
BANGALORE-560 020
2. THE SPECIAL LAND ACQUISITION OFFICER
BANGALORE DEVELOPMENT AUTHORITY
KUMARAPARK WEST,
SANKEY TANK ROAD,
BANGALORE-560 020.

...RESPONDENTS

(BY SRI. H.T.BASAVARAJA, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



RESPONDENT TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 10.04.2015 VIDE ANNEXURE-J AND TO PASS APPROPRIATE ORDER TO DROP THE ACQUISITION PROCEEDINGS IN RESPECT OF THE PETITIONER'S HOUSE PROPERTY IN KANUSHUMARI NO.124, BEARING KHATA NO.115, SITUATED AT SY.NO.167/2 OF ULLALU VILLAGE, YESHWANTHPURA HOBLI, BANGALORE NORTH TALUK AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought for a writ in the nature of mandamus to direct the respondents to consider his representation dated 10.04.2015 and pass appropriate orders to drop acquisition proceedings in respect of his house bearing Khaneshumari No.124, Khata No.115, situate at Sy.No.167/2 of Ullalu Village, Yeshwanthpura Hobli, Bengaluru North Taluk. He has also sought for a direction to the respondents to re-convey the site in his favour as per the judgment of this Court in ***Junjamma and others vs. The Bangalore Development Authority and others [ILR 2005 KAR 608]***.



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2. The petitioner claims that he is the owner of the property bearing Khata No.115 and Khaneshumari No.124, situate at Ullal Basti Village, Ullal Post, Yeshwanthpura Hobli, Bengaluru North Taluk, measuring 40' x 60'. He contends that he had constructed a house over the aforesaid property and living thereon with his family. He contends that the land in Sy.No.167/2 of Ullalu village was also notified for acquisition for formation of Sir M. Vishweshwaraiah Layout, II Stage, in terms of preliminary notification dated 14.12.2001 under Section 17 of the Bangalore Development Authority Act, 1976, followed by final notification dated 31.10.2002 under Section 19 of Bangalore Development Authority Act, 1976. The petitioner claims that before the aforesaid notifications were issued, the land in Sy.No.167/2 was inspected and it was found that petitioner's house is existing on a portion of Sy.No.167/2. An award was passed in respect of Sy.No.167/2, but the possession of the house of the petitioner was not taken. The petitioner following the judgment of the Co-ordinate Bench of this Court in ***Junjamma's*** case, referred supra, had filed a representation to the respondent - BDA on 10.04.2015



requesting it to drop acquisition in so far as his house is concerned. The petitioner contends that even after receipt of the representation, no steps are taken to consider it in accordance with law. Therefore, the petitioner is before this Court.

3. Learned counsel for the petitioner invited the attention of the Court to the construction put up by the petitioner on the property in question as well as the inspection of the property by the respondent - BDA before issuing preliminary notification, which indicated that a house existed on the property in question which belonged to the petitioner. He therefore, submitted that the petitioner is entitled to the benefit of the judgment passed by this Court in ***Junjamma's*** case, referred supra. He contends that until such representation is considered, possession of the petitioner should not be disturbed.

4. Per contra, the learned counsel for the respondents does not dispute that the site purchased by the petitioner lies within Sy.No.167/2 of Ullalu village, which was proposed for acquisition for formation of Sir M. Vishweshwaraiah Layout, II



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Stage. He also does not dispute the fact that such purchase was made by the petitioner prior to the notifications issued by the State Government under Sections 17 and 19 of the Bangalore Development Authority Act, 1976.

5. In that view of the matter, the petitioner is entitled to be granted the benefit of the judgment of this Court in ***Junjamma's*** case, referred supra.

6. Accordingly, the petition is ***allowed***. The respondents are directed to consider the representation of the petitioner dated 10.04.2015 and take appropriate steps to allot the very same site to the petitioner subject to the petitioner complying with the requirement prescribed by this Court in ***Junjamma's*** case, referred supra and in accordance with the Bangalore Development Authority (Allotment of Sites) Rules, 1984. This shall be complied within a period of three months from the date of receipt of certified copy of this Order.

Sd/-
(R. NATARAJ)
JUDGE

PMR
List No.: 1 Sl No.: 43