



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 4751 OF 2026 (LA-UDA)

BETWEEN:

1. SMT.HUCHAMMA
W/O SIDDAPPA,
AGED ABOUT 51 YEARS
BADAGALAHUNDI GRAMA,
JAYAPURA HOBLI, KERGALLI POST,
MYSORE, KARNATAKA - 570 026

... PETITIONER

(BY SRI. SHARATH CHANDRA N., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
435, 4TH FLOOR, VIKAS SOUDHA
BANGALORE - 560 001
REPRESENTED BY ITS SECRETARY.
2. THE COMMISSIONER
MYSORE URBAN DEVELOPMENT AUTHORITY,
JHANSI LAKSHMI BHAI ROAD,
MYSORE - 570 005
3. SPECIAL LAND ACQUISITION OFFICER
MYSORE URBAN DEVELOPMENT AUTHORITY,



JHANSI LAKSHMI BHAI ROAD,
MYSORE - 57005

... RESPONDENTS

(BY SRI. HARISH A.S., AGA FOR R1;
SRI FAIZAL., ADVOCATE FOR
SRI SACHIN B.R., ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER QUASHING THE PORTION OF THE PRELIMINARY NOTIFICATION BEARING NUMBER LAQ (1) C.R. 81/97-98 DATED 06.10.1997 ISSUED BY THE RESPONDENT NO.3 I.E., MYSORE URBAN DEVELOPMENT AUTHORITY, AT ANNEXURE - A AS INVALID IN SO FAR AS IT RELATES TO THE PROPERTIES OF THE PETITIONER HEREIN WHICH IS MENTIONED AT SL. NO. 24 THEREIN, 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 S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has sought for setting aside of the Preliminary Notification dated 06.10.1997 issued by the respondent no.3 insofar it relates to property of the petitioner as described in the schedule.

2. It is the submission of the learned counsel for petitioner that though Preliminary Notification was passed



on 06.10.1997, till date no action has been taken to further acquisition proceedings. It is submitted that accordingly the proceedings must be deemed to have lapsed.

3. It is further submitted that this court in other writ petitions including W.P.No.10118/2023 while considering identical reliefs as sought by the land owners in the said writ petition relating to same notification of 06.10.1997 issued for formation of "Ravindranath Tagore Layout", noticing the inaction on the part of the respondents to complete the acquisition proceedings, taking note of the orders passed in W.P.Nos.3876/2022 and 4165/2023 had quashed the Preliminary Notification.

4. Learned Counsel for the respondent submits that acquisition proceedings arising out of Preliminary Notification dated 06.10.1997 issued for formation of "Ravindranath Tagore Layout" have been set aside as no



steps have been taken to complete the acquisition proceedings.

5. Taking note of the observations made in W.P.No.10118/2023 as well as W.P.No.4165/2023, case is made out to set aside the Preliminary Notification insofar as lands of the petitioner that is notified.

6. Paragraphs 2 and 3 of the order passed in W.P.No.4165/2023, is extracted below:

2. It is noticed that the Preliminary Notification under Section 17(1) of the Karnataka Urban Development Authorities Act, 1987 (hereinafter referred to as 'KUDA Act' for the sake of brevity) was passed on 06.10.1997 proposing to acquire certain lands at Keragalli Village, Jayapura Hobli, Mysuru Taluk and District for the purpose of formation of residential layout known as "Ravindranath Tagore Layout". It is admitted that pursuant to the Preliminary Notification, no further steps have been taken to complete the acquisition process in terms of the statutory scheme as more than 26 years have lapsed since the date of Preliminary Notification. Hence, the petitioners are entitled for relief of declaration as there is lapse of acquisition.



3. Perused the order passed in W.P.No.3876/2022, wherein this Court in an identical context dealing with the lands in the same Keragalli Village, Jayapura Hobli, Mysuru Taluk and District has quashed the Preliminary Notification. In light of the undisputed facts that no steps have been taken pursuant to the Preliminary Notification, petitioners are entitled for declaration that the acquisition has lapsed.

7. Accordingly, in light of the uncontroverted facts of no proceedings being taken subsequent to 06.10.1997, the Preliminary Notification insofar as properties of the petitioner which were notified is quashed and it is declared that acquisition is lapsed insofar as properties of the petitioner is concerned.

8. Accordingly, the petition is disposed of.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

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