



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 2374 OF 2015 (LA-BDA)

BETWEEN:

1. NARAYANASWAMY
S/O LATE CHIKKAMARAPPA,
AGED ABOUT 60 YEARS,
2. SMT. LALITHAMMA
W/O LATE KRISHNAMURTHY,
AGED ABOUT 50 YEARS,
3. RAMASWAMY
S/O LATE CHIKKAMARAPPA,
AGED ABOUT 56 YEARS,

R/AT HULIMAVU VILLAGE,
BEGUR HOBLI,
BANGALORE SOUTH TALUK,
BANGALORE-560 076.
SINCE DEAD REPRESENTED BY
HIS LR,

- 3(a) HEMANT H R
S/O RAMASWAMY
R/A BANNERGHATTA ROAD
NO.63, BEHIND LORDS SCHOOL,
BENGALURU SOUTH, HULIMAVU
BANGALORE-560 076

...PETITIONERS

(BY SRI. YESHU MISHRA, ADVOCATE FOR PETITIONER NOS.1, 2 AND
3(a))

AND:

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY



DEPARTMENT OF URBAN DEVELOPMENT,
4TH FLOOR, VIKAS SOUDHA
DR. AMBEDKAR VEEDHI
BANGALORE-560 001

2. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY
KUMARPARK WEST,
BANGALORE-560 020
3. THE SPECIAL LAND ACQUISITION OFFICER
BANGALORE DEVELOPMENT AUTHORITY
KUMARPARK WEST,
BANGALORE-560020

...RESPONDENTS

(BY SRI. ADITYA DIWAKAR, ADDITIONAL GOVERNMENT ADVOCATE
FOR RESPONDENT NO.1;

SRI. M.V.CHARATI, ADVOCATE FOR RESPONDENT NOS.2 AND 3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DECLARE THAT THE SCHEME
OF BTM 6TH STAGE LAYOUT ENVISAGED UNDER THE PRELIMINARY
NOTIFICATION DATED 08.09.1987 BEARING
NO.BDA/ALAO/A5/18/87-88 VIDE ANNEXURE-D AND THE FINAL
NOTIFICATION DATED 28.07.1990 BEARING NO.HUD/231/MNX/90
VIDE ANNEXURE-E SO FAR AS THE PETITIONERS LANDS ARE
CONCERNED HAS LAPSED UNDER SECTION 27 OF THE BANGALORE
DEVELOPMENT AUTHORITY ACT, 1976 READ WITH SECTION 24 (2)
OF THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN
LAND, ACQUISITION, REHABILITATION AND TRANSPARENCY IN THE



LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT,
2013.

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 petitioners have sought for a writ in the nature of certiorari to declare that the Scheme of BTM VI Stage Layout proposed under the preliminary notification bearing No.BDA/ALAO/A5/18/87-88 dated 08.09.1987 and the final notification bearing No.HUD/231/MNX/90 dated 28.07.1990 has lapsed in so far as the petition schedule property under Section 27(2) of the Bangalore Development Authority Act, 1976 (for short, 'the Act, 1976') read with Section 24(2) of the Right to Fair Compensation and Transparency in Land, Acquisition, Rehabilitation and Resettlement Act, 2013 (for short, 'the Act, 2013'). They have also sought for issue of a writ of certiorari to quash the acquisition proceedings conducted in Preliminary Notification bearing No.BDA/ALAO/A5/18/87-88 dated 08.09.1987 and final notification bearing No.HUD/231/MNX/90



dated 28.07.1990 in so far as the petitioners' land is concerned on two grounds, namely, (i) that the respondents failed to implement the Scheme within a period of five years from the date of declaration as per Section 27 of the Act, 1976 and (ii) that the respondents have not taken physical possession of the land in question and the same is contrary to Section 24(2) of the Act, 2013.

2. When this petition is listed for preliminary hearing in 'B' group, it is brought to the notice of this Court that a coordinate Bench of this Court in W.P No.33142/2017 disposed off on 06.01.2021 while considering the issue pertaining to acquisition of the land bearing Sy. No.21/1C5 of Hulimavu village, Begur Hobli, Bengaluru South Taluk, measuring 35 guntas in relation to the Scheme 'BTM VI Stage Layout' had held that the Scheme had lapsed.

3. It is also brought to the notice of this Court that the said order of the coordinate Bench of this Court was challenged in W.A No.715/2022 connected with W.A. No.752/2022, where the Division Bench noticed that the BDA itself had mentioned in its objections that the preliminary notification proposed to



acquire the land to the extent of 805 Acres and 21 guntas and subsequently, final notification had been issued only in respect of 338 acres and 09 guntas. Even out of the properties so notified, this Court in several petitions had found that the layout was formed in only about 38 acres of land and the remaining extent of land had continued in possession of the land owners. Therefore, the Scheme was not substantially implemented. It is also stated that this judgment of the Division Bench is now confirmed. In that view of the matter, the petitioners in this petition are also entitled to be treated alike.

4. Accordingly, the petition is ***allowed in part***. The Scheme of BTM VI Stage layout in respect of the land bearing Sy.No.80/2 of Arakere Village, Begur Hobli, Bengaluru South Taluk, measuring 24 guntas, is declared to have lapsed.

5. The petitioner is entitled for a further declaration that the acquisition of land in Sy. No.80/2 of Arakere Village, Begur Hobli, Bengaluru South Taluk, measuring 24 guntas has also lapsed as a large part of the lands notified are not used for the Scheme. The relief sought for under Section 24(2) of the



**NC: 2026:KHC:29956
WP No. 2374 of 2015**

Right to Fair Compensation and Transparency in Land,
Acquisition, Rehabilitation and Resettlement Act, 2013, is
rejected.

**Sd/-
(R. NATARAJ)
JUDGE**

SMA
List No.: 1 Sl No.: 60