



CNR: KAHC010169442016

NC: 2026:KHC:36000
WP No. 44077 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. 44077 OF 2016 (LA-KIADB)

BETWEEN:

SMT. KEMPAMMA
DAUGHTER OF MUNISHAMAPPA
AGED ABOUT 62 YEARS
RESIDING AT NO.62
AREBINNAMANGALA, JALA HOBLI,
DEVANAHALLI TALUK
BANGALORE URBAN DISTRICT - 562149

...PETITIONER

(BY SRI. B. SHARATH KUMAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY TO
INDUSTRIES AND COMMERCE DEPARTMENT,
VIDHANA SOUDHA
BANGALORE - 560001
2. THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD, BANGALORE,
BY ITS MANAGING DIRECTOR,
NRUPATHUNGA ROAD,
BANGALORE - 560001
3. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
NRUPATHUNGA ROAD,
BANGALORE - 560001

...RESPONDENTS

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

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



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SRI. K.B.MONESH KUMAR, ADVOCATE FOR RESPONDENT NOS.2 AND 3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO PASS CONSENT AWARD AS PROVIDED UNDER SECTION 29(2) OF THE KIAD ACT AND DISBURSE COMPENSATION AMOUNT TO THE PETITIONER IN RESPECT OF THE LANDS ACQUIRED AS PER THE DECISION OF THE PRICE FIXATION COMMITTEE 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 respondent No.3 to pass a consent award as provided under Section 29(2) of the Karnataka Industrial Areas Development Act, 1966 (henceforth referred to as 'KIAD Act') and disburse the compensation in respect of the land bearing Sy.No.1/-P1 of Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk. She has also sought for a writ in the nature of mandamus to direct respondents to pay interest on the consent award from 19.08.2009 till the date of payment as per Section 34 of the Land Acquisition Act, 1894.

2. The petitioner claims that she is the absolute owner of 10 guntas of land in Sy.No.1/-P1 of Arebinnamangala



Village, Jala Hobli, Bengaluru North (Additional) Taluk. The said land was granted to her in terms of an order of grant dated 08.02.1999. She contends that the respondent No.1 had acquired the aforesaid land in terms of a preliminary notification dated 07.08.2006 issued under Section 28(1) of the KIAD Act followed by final notification dated 29.09.2008 issued under Section 28(4) of the KIAD Act. The respondent Nos.2 and 3 had taken possession of the aforesaid land in the year 2009 itself but failed to pay compensation. The petitioner is therefore, before this Court.

3. The learned counsel for the petitioner contends that respondent No.2 had constituted a committee for fixation of price for landlosers who consent for acquisition. He contends that the petitioner is entitled for consent award and also for the interest from the date she lost possession of the land till the date of payment of compensation.

4. The writ petition is opposed by the respondent Nos.2 and 3 who have filed a statement of objections contending that the name of the petitioner is not mentioned in the preliminary notification or in the final notification. It is



claimed that after the writ petition is filed, respondent Nos.2 and 3 instructed their surveyors to conduct survey and file a report. It is stated in the report that the land of the petitioner is not located within the industrial layout developed by the respondent Nos.2 and 3. Therefore, it is contended that the question of granting any relief to the petitioner does not arise. It is also claimed that the petitioner has not produced any material to demonstrate that her land was part of the notifications issued to acquire the land.

5. Learned counsel for respondent Nos.2 and 3 reiterated the above contentions and submitted that there is nothing to show that the land of the petitioner was acquired and that the petitioner was recognized as owner of 10 guntas of land in Sy.No.1/-P1 Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk. He therefore, submits that no direction can be issued to the respondent Nos.2 and 3 to pass a consent award.

6. I have considered the submissions of the learned counsel for the petitioner as well as the learned counsel for respondent Nos.2 and 3.



NC: 2026:KHC:36000
WP No. 44077 of 2016

7. The documents filed along with writ petition establishes beyond doubt that 10 guntas of land was granted to the petitioner in Sy.No.1/-P1 of Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk. The land that was so granted to the petitioner was the land that had vested in the State Government. It is not in dispute that the land in Sy.No.1/-P1 of Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk was notified for acquisition by respondent No.1 vide final notification dated 29.09.2008. Merely because the name of the petitioner is not shown in the notification, that does not mean that her land is not acquired as practically the entire extent in Sy.No.1/-P1 was acquired. Under the circumstances, it is incumbent upon the respondent Nos.2 and 3 to identify the property claimed by the petitioner and also verify whether it was included in the limits of Sy.No.1/-P1 of Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk, which was acquired. If it is included in the limits in Sy.No.1/-P1 of Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk, which was acquired, then the petitioner undoubtedly is entitled to compensation at such



NC: 2026:KHC:36000
WP No. 44077 of 2016

rates as determined by the price fixation committee of respondent No.2.

8. Therefore, respondent No.3 is liable to be directed to conduct an inspection and survey to identify the land of the petitioner and thereafter, proceed to pass an award under Section 29(2) of the KIAD Act in respect of 10 guntas of land owned by the petitioner in Sy.No.1/-P1 of Arebinnamangala Village, Jala Hobli, Bengaluru North (Additional) Taluk, at such rates as determined by the price fixation committee of respondent No.2. The petitioner is also entitled for the interest at the rate of 15% per annum from the date of losing possession till the date of payment of compensation. This shall be complied within a period of three months from the date of receipt of certified copy of this Order.

9. The writ petition stands ***disposed off*** on the above terms.

Sd/-
(R. NATARAJ)
JUDGE

PMR
List No.: 1 Sl No.: 44