



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 8120 OF 2026 (LA-BDA)

BETWEEN:

1. SMT KAMALAMMA
AGED ABOUT 67 YEARS
W/O LATE VENKATARASAPPA
R/AT MANGANAHALLI VILLAGE,
YESHWANTHPURA HOBLI,
BENGALURU-560 060
2. SMT. JINNU BAI NAGARAJU
AGED ABOUT 49 YEARS
W/O M. NAGARAJU,
D/O LATE VENKATARASAPPA
R/AT NO. 1, MANGANAHALLI VILLAGE,
BENGALURU- 560 060
3. SMT NAGAMANI MV.
AGED ABOUT 46 YEARS
W/O M. RAJANNA,
R/AT NO. 77, 4TH BLOCK,
SIR M.V. LAYOUT, ULLALU BASTI,
ULLALU UPANAGARA
BENGALURU-560 056.
4. SRI MANJUNATH MV.
AGED ABOUT 44 YEARS
S/O LATE VENKATARASAPPA,
R/AT MANGANAHALLI VILLAGE,
YESHWANTHPURA HOBLI
BENGALURU-560 060.

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signed by
VIJAYA P
Location:
HIGH COURT
OF
KARNATAKA



5. SRI. KUMAR .V.,
AGED ABOUT 40 YEARS
S/O LATE VENKATARASAPPA
R/AT NO. 70, MANGANAHALLI VILLAGE,
YESHWANTHPURA HOBLI,
BENGALURU-560 060.

... PETITIONERS

(BY SMT. S. SUSHEELA, SENIOR ADVOCATE FOR
SRI. RAMESHA T R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT,
VIKAS SOUDHA,
BENGALURU - 560 001.
REPRESENTED BY ITS SECRETARY.
2. THE BANGALORE DEVELOPMENT AUTHORITY,
KUMARA PARK WEST,
BENGALURU.
REPRESENTED BY ITS COMMISSIONER.
3. THE LAND ACQUISITION OFFICER OF
BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDALAH ROAD,
BANGALORE - 560 020.

... RESPONDENTS

(BY SRI. HARISHA A.S, AGA FOR R1
SRI. MURUGESH V. CHARATI, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE
ANNEXURE-A I.E., IMPUGNED ENDORSEMENT DATED
18.02.2026 VIDE NO.BDA/ALAO/LAC/434/2025-26 ISSUED BY
THE 3RD RESPONDENT IN RESPECT OF LAND BEARING
SY.NO.22/2 MEASURING 2 ACRES OF MANGANAHALLI



VILLAGE, YESHWANTHPURA HOBLI, BENGALURU NORTH TALUK AND DIRECT THE RESPONDENTS TO CONSIDER REPRESENTATION DATED 20.05.2024 ANNEXURE - P AND DATED 09.10.2025 AT ANNEXURE Q1 TO DELETE THE LAND BEARING SY.NO.22/2 MEASURING 2 ACRES OF MANGANAHALLI VILLAGE, YESHWANTHPURA HOBLI, BENGALURU NORTH TALUK, IN THE ACQUISITION PROCEEDINGS.

THIS PETITION, COMING ON FOR DICTATING ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

Petitioners have sought for setting aside of the endorsement at Annexure-A dated 18.02.2026 issued by the 3rd respondent.

2. Perusal of the endorsement at Annexure-A would indicate that the petitioners had made a request for dropping of the lands of the petitioners. The endorsement takes note of the proceedings in W.P.No.32186/2010 as well as the order in W.A.No.1783/2014. It also takes note of the order passed in W.P.No.21695/2025 as well as the order passed in W.A.No.1783/2014 on 22.02.2024



whereby there was a direction for consideration of the petitioners' case.

3. The endorsement would indicate that the Authority has rejected the request on the ground that as regards the property in Sy. No. 22/2 measuring 2 acres, award has been approved.

4. The brief facts relevant for the present purpose are that preliminary notification came to be issued on 21.05.2008 whereby the schedule property was proposed for acquisition by the BDA and such preliminary notification was followed by final notification dated 18.02.2010. It is submitted that petitioners being aggrieved by the notifications had filed W.P.No. 6705/2014 which came to be allowed in terms of the order passed in W.P.No. 1379/2015. It is further made out from the facts that being aggrieved by the order setting aside notifications, respondent - BDA had filed appeals in W.A.No. 1783/2014 and connected matters, whereby the



Division Bench had granted certain directions to the BDA insofar as considering permissible relief to the site holders and land holders while upholding the acquisition notifications.

5. In W.A.No. 1783/2014, the Division Bench had directed that the case of land owners be considered as regards the request for dropping their lands from acquisition on certain stipulated grounds as mentioned in the operative portion of the order.

6. It is submitted that the petitioners had made a request for considering their case in terms of the directions in W.A.No. 1783/2014 and the respondent - Authority having issued the endorsement at Annexure-A rejecting the request of the petitioners, petitioners have filed the present writ petition.

7. Smt. S. Susheela, learned Senior Counsel appearing for the petitioners would submit that petitioner no.1 is the husband of Late Venkatarasappa while



petitioners 2 to 5 are the children who have interest in respect of property bearing Sy. no. 22/2 measuring 2 acres out of 3 acres 22 guntas of Manganahalli Village, Yeshwanthpura Hobli, Bengaluru North Taluk.

8. It is submitted that Late Venkatarasappa had assailed the validity of the notifications by way of W.P.No. 6705/2014 which came to be disposed of in terms of the order passed by the co-ordinate Bench whereby notifications issued relating to Nadaprabhu Kempegowda Layout were set aside. It is further submitted that respondent - BDA had questioned the order passed by way of W.A.No. 1783/2014 and connected matters which came to be disposed of with certain directions and on fulfillment of certain criteria, respondent - BDA was to examine the case of the land owners and record a finding as to whether the lands could be left out.

9. It is submitted that petitioners who are the legal representatives of Late Venkatarasappa have made



out a representation on 20.05.2024 seeking for dropping of the acquisition proceedings in respect of property in Sy. No.22/2 measuring 2 acres in Manganahalli Village, Yeshwanthpura Hobli, Bengaluru North Taluk. In the said representation, it was pointed out that lands surrounding petitioners' land had been left out and as the petitioners were running a brick factory since 2004, request was made for dropping of the acquisition proceedings. The said request not having been considered, W.P.No. 21695/2025 came to be filed seeking for issuance of writ in the nature of mandamus to consider their representation.

10. The said writ petition came to be disposed of with a direction that the respondent - BDA was directed to consider the representation and pass necessary orders while taking note of the order in W.A.No.1783/2014. Subsequently, the petitioners had made another representation to the BDA with similar request.



11. It is submitted that the respondent - BDA had passed resolution No. 83/24 dated 31.07.2024 whereby the case of some of the land owners was taken up for consideration by the respondent - BDA in terms of the order passed in W.A.1783/2014. However, the said resolution contains no discussion regarding consideration of the petitioners' case. It is pointed out that in fact in terms of the notices enclosed at Annexures-S1 to S13, notices have been issued describing the occupation of the petitioners to be 'unauthorised' and that within 7 days without considering their case in terms of the direction in W.A.No.1783/2014 notices were issued calling upon the petitioners to vacate and hand over vacant possession.

12. Sri. Murugesh V. Charati, learned counsel for the respondent - BDA, would submit that Late Venkatarasappa had in fact expressed consent for passing of a consent award and if that were to be so, the petitioners who claim as legal representatives are estopped from seeking for any relief for dropping of the



acquisition proceedings. It is further submitted that though the petitioners have relied on the directions in W.A.1783/2014, however when W.P.21695/2025 was disposed of, the only direction was for consideration of the representation of the petitioners in accordance with law. It is further submitted that once the consent award is passed, unless the same is set aside by due process of law, the question of seeking dropping of proceedings does not arise.

13. Heard both sides.

14. It must be noticed that reliance of the petitioners is on the directions passed in W.P.21695/2025. The petitioners in the said writ petition are the legal representatives of late Venkatarasappa and the observations made in W.A.1783/2014 were taken note of. While the Single Judge had set aside the land acquisition notification, in appeal the order of the Single Judge was set aside and the notifications having been upheld certain



directions were issued relating to land owners and site owners who could claim benefits in terms of the directions. Provision was made to the land owners to seek for dropping of the proceedings.

15. Though in W.P.21695/2025, the Court had noticed observations made in writ appeal whereby provision was made for dropping of proceedings, the direction passed was for the BDA to consider the representation and pass orders in accordance with law. However, there is a reference at Para 4 of the order in W.P.No.21695/2025 that the petitioners had sought for setting aside of consent given by the father of the petitioners. The said consent award was not set aside.

16. The petitioners have also made representation. In such representation, reference is made regarding the consent award passed and the petitioners were aware of the consent award passed though efforts are made to



overcome the same by contending that even Venkatarasappa never had the intention to consent.

17. It is significant to note that, application seeking amendment of the writ petition in W.P.No.21695/2025 was filed. The petitioners had assailed the validity of the consent award dated 05.07.2012. The mahazar report dated 06.03.2010 was also challenged. The petitioners in their application had sought to adopt an ambiguous stand insofar as the consent award.

18. The petitioners contend on the one hand that the award has not been acted upon and is void. It is asserted that the said award was not brought to the notice of the Court in the previous proceedings when there was a challenge to the validity of the notifications. On the other hand, it is contended that the judicial order prevails over all arrangements between the parties.

19. Learned counsel for the respondent - BDA has produced along with a memo various documents. The



notice dated 14.08.2008 is issued to Venkatarasappa and another which stipulates that the land owners are entitled to exercise the option of accepting developed land as compensation (9583 sq. ft. of land for 1 acre). The said notice bears the signature of Venkatarasappa. A further notice on same lines dated 12.08.2011 is also produced which also is duly acknowledged by Venkatarasappa through whom the petitioners claim.

20. Copy of the agreement dated 05.07.2012 is produced and the same is signed by Venkatarasappa and in terms of which, the land owner was entitled to get an extent of 9583 sq. ft. of developed sites as regards 1 acre of land and cash compensation for the remaining 1 acre of land. It was further submitted that in the event the land owner came forward to accept cash compensation an amount of Rs.80,00,000/- per acre including all statutory benefits could be offered. It is necessary to note that in terms of Clause 7 of the said agreement, it is specifically



averred that the land owner 'will not file any case in any court against the first party'.

21. It is necessary to notice that the said agreement is executed by Venkatarasappa and the agreement has the signature of Venkatarasappa. Copy of the consent award dated 05.07.2012 is also placed on record. In terms of the said consent award at Para 17, there is observation that compensation of Rs.1.00 crore is fixed as regards 1 acre and 9583 sq. ft. of developed sites have been earmarked as compensation by way of developed property instead of cash compensation. The said award has been approved by the Deputy Commissioner, Bangalore Development Authority. Copy of the award notice under Section 12(2) of the Land Acquisition Act, is also enclosed which bears the signature of Venkatarasappa. Affidavit of Venkatarasappa dated 23.07.2012 is also produced reiterating his readiness to claim compensation.



22. It is only thereafter that petition came to be filed in 2014.

23. No doubt, W.P.6705/2014 came to be filed assailing the preliminary and final notifications, however, the petition was disposed of in terms of the observations and order passed in W.P.1379/2015. It is necessary to note that the Court did not enter into any fresh adjudication but merely relied upon orders passed by the Co-ordinate Bench wherein the acquisition notifications were set aside.

24. The said order setting aside the notifications was taken up by way of appeal in W.A.No.1771/2015 and the writ appeal was disposed of by a common order along with several other appeals. It is necessary to notice that the challenge to the notifications was rejected and while upholding the acquisition notifications, certain directions were granted to enable land owners to seek dropping of lands from acquisition, if certain criteria are met.



25. Subsequent to the disposal of the writ appeal, the legal representatives of Late Venkatarasappa who are the petitioners made out a representation on 20.05.2024 seeking dropping of their lands from acquisition and on alleged inaction of the authorities, W.P.21695/2025 came to be filed seeking issuance of writ of mandamus to direct the respondents to consider representation dated 20.05.2024 for dropping of acquisition proceedings.

26. It is to be noticed that the Court finally while disposing of the writ petition directing consideration of representation of the petitioners has noticed at Para 4 that the petitioners were "..... (4)... seeking quashment of a consent given by the father of the petitioners".

27. It is also relevant to notice that the petitioners had filed an application seeking amendment to the writ petition seeking setting aside of consent award as well as mahazar. However, the said application has not been adjudicated.



28. Though the order in W.P.21695/2025 makes a reference to the directions passed in W.A.1783/2014 and connected matters wherein directions were made out for the respondent - BDA to consider the case of the petitioners for dropping of acquisition, however, such consideration obviously would be consideration of the representations of the land owners in accordance with law.

29. The observations made by the court cannot place the petitioners with any superior rights than they possess.

30. Once the land owners had consented for passing of a consent award as noticed from the documents at Para Nos. 19 to 21 above, they have no further legal right to seek to reopen the acquisition proceedings which have culminated in a consent award.

31. The statutory scheme under the Land Acquisition Act would not provide for reopening of a



consent award. The question of seeking any further relief such as dropping of acquisition would not arise as long as the consent award continues to remain as a part of the record.

32. The petitioners did make a feeble effort to have the consent award and mahazar set aside by way of application made in W.P.21695/2025 but no orders were passed. If that were to be so, the consent award still remains binding on the petitioners herein who claim through Venkatarasappa. The affidavit and the agreement executed by Venkatarasappa are binding on him and his legal representatives and the petitioners are estopped from seeking any relief which is inconsistent with the terms of the consent award.

33. No legal right would ensue to the petitioners by contending that the consent award is not acted upon as long as the said consent award is not set aside by a



competent court. There lies no cause of action to seek for any other relief.

34. The endorsement by the respondent - BDA clearly narrates the entirety of events and culminates in rejection of the request which is indeed consistent with the legal position that would not enable the petitioners to seek for any relief independent of the consent award.

35. The present writ petition itself amounts to an abuse of the process of Court insofar as multiple litigations are instituted, while all along the consent award of the year 2012 continues to bind the parties.

36. Accordingly, the writ petition is ***rejected***.

**SD/-
(S SUNIL DUTT YADAV)
JUDGE**

VP