



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 10936 OF 2026 (LA-KIADB)

BETWEEN:

1. SMT. PUSHPA LATHA M
W/O. NAGARAJA A.
AGED ABOUT 41 YEARS
R/A. NEELATUR, RONUTHIMSANDRA POST,
SRINIVASAPURA TALUK,
KOLAR DISTRICT-563 135
2. SRI. CHENNA KESAIAH KOMARASETTY
S/O. CHENNAIAH
AGED ABOUT 28 YEARS
R/A. NO.54, OM SOCIETY,
BT KAWADE ROAD, GHORPUDI,
PUNE-411 036
3. SRI. KUKKA VENKATESH
S/O. CHENNAIAH
AGED ABOUT 44 YEARS
R/A. NO.71, H NO.4, SHREENATH NAGAR,
GHORPUDI GOAN, PUNE-411 001
4. SRI. B. VENKATESWARULU
S/O. CHENCHAIAH
AGED ABOUT 54 YEARS
R/A. BALAJI VILLA,
GURU KRUPA SOCIETY,
PUNE-411 036
5. SMT. B.N. LAKSHMIDEVI
S/O. K.R. NARAYANASWAMY
AGED ABOUT 55 YEARS
R/A. NO.116, I MAIN, III CROSS,
INDIRANAGAR, BENGALURU-560 038

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signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



6. SRI. C. NARASIMHAIAH
S/O. CHINNAPPA
AGED ABOUT 39 YEARS
R/A. NO.135, I MAIN, V CROSS,
BEHIND NGEF, INDIRANAGAR,
BENGALURU-560 038
7. SMT. MUNICHOWDAMMA
W/O. MUNIYAPPA
AGED ABOUT 65 YEARS
R/A. NO. THAMBIHALLI, KASABA HOBLI,
MALUK TALUK, KOLAR DISTRICT-563 130
8. SMT. ROOPA R.
W/O. KEMPANNA
AGED ABOUT 29 YEARS
R/A. NO. NO.90, KALLANDUR,
BESGIHOSAHALLI,
KOLAR DISTRICT-563 101
9. SRI. T. CHALAPATHY
S/O. THIPPANNA
AGED ABOUT 45 YEARS
R/A. NO. C HOSAHALLI, BYKURU POST,
MULBAGAL TALUK,
KOLAR DISTRICT-563 131

...PETITIONERS

(BY SRI. SHARAN B.T., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY DEPARTMENT OF INDUSTRIES AND COMMERCE
VIDHANA SOUDHA, BENGALURU-560 001.
REPRESENTED BY ITS SECRETARY
2. KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD
EAST WING, KANIJA BHAVAN,
RACE COURSE ROAD,
BENGALURU-560 001
REPRESENTED BY ITS
CEO AND EXECUTIVE MEMBER

...RESPONDENTS

(BY SMT. POOJA M. KOORSE, HIGH COURT GOVERNMENT PLEADER
FOR RESPONDENT NO.1;



SMT. NETRA S. BALIKAI, ADVOCATE FOR RESPONDENT NO.2)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE FINAL NOTIFICATION DATED 22.05.2025 BEARING NO.CI 250 SPQ 2020 PRODUCED AT ANNEXURE-AB IN SO FAR AS SY.NO.9/4 OF BHAVANAHALLI VILLAGE, KASABA HOBLI, MALUR TALUK, KOLAR DISTRICT WHEREIN THE SCHEDULE SITES ARE FORMED (ANNEXURE-AB) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioners have challenged the final notification bearing No.CI-250-SPQ-2020 dated 13.05.2025 published in Official Gazette on 22.05.2025 issued by the respondent No.1 in so far as it relates to Sy.No.9/4 of Bhavanahalli, Kasaba Hobli, Maluru Taluk, Kolar District. They have also sought for a writ in the nature of mandamus to restrain the respondents from interfering with their possession in the sites formed in Sy.No.9/4 of Bhavanahalli.

2. (i) The petitioners claim that the land in Sy.No.9/4 of Bhavanahalli, Kasaba Hobli, Maluru Taluk, Kolar District was owned and possessed by one Sri. Muniyappa. On



04.03.2014, an extent of 1 acre in Sy.No.9/4 was converted for non-agricultural residential purposes. The said Muniyappa then applied for sanction of a plan for formation of a layout of residential sites. Accordingly, the planning authority granted technical approval along with a sanctioned layout plan on 07.04.2016. The said Muniyappa and his family members represented by their power of attorney executed a joint development agreement dated 06.08.2016 in favour of M/s. Balaji Developers, who undertook to form a residential layout. Accordingly, a residential layout called 'Royal Meadows' was formed in the land bearing Sy.No.9/4 and Sy.No.6/2. The petitioners are purchasers of various sites formed in the land bearing Sy.No.9/4.

(ii) During February 2024, the petitioners were informed by some officers of the respondent No.2 that their sites were acquired for formation of an industrial layout. The petitioners then enquired with the respondent No.2, who disclosed that preliminary notification dated 04.09.2023 was issued proposing to acquire land in Sy.No.9/4, which showed the name of the erstwhile owner Sri. Muniyappa. Petitioners



contend that being aggrieved by the said preliminary notification, they approached this Court in W.P.No.13819/2024. The said writ petition was disposed off reserving liberty to the petitioners to file their objections before the Special Land Acquisition Officer who was directed to consider the same in accordance with law. The petitioners then filed detailed objections dated 03.07.2024 before the Special Land Acquisition Officer. However, without considering the objections, the respondent No.1 proceeded to issue final notification dated 22.05.2025. The petitioners are therefore before, this Court challenging the final notification, mentioned supra.

3. The learned counsel for the petitioners contends that the Special Land Acquisition Officer is bound to consider the representations filed under Section 28(2) of the Karnataka Industrial Areas Development Act, 1966 (henceforth referred to as 'KIAD Act') as that is the only option available to a landloser to represent against acquisition and to justify exclusion of the land from acquisition. He contends that the respondent No.1 overlooking such a fundamental provision, has issued a final notification. He submits that the opportunity given to the



landlosers to file objections to the notification is though not a fundamental right but a statutory right recognized and the respondent No.1 cannot trample over the statutory right by ignoring the objections filed. He therefore, submits that the impugned notification is liable to be set at nought as the same is issued without complying the statutory provision under Section 28(3) of the KIAD Act.

4. The learned counsel for the respondent No.2 after securing instructions fairly submitted that the objections of the petitioners were not considered and no enquiry under Section 28(3) of the KIAD Act was conducted.

5. In view of the aforesaid submission made by the learned counsel for the respondent No.2, it is imminent that the impugned notification is diluted and the respondent No.2 and the Land Acquisition Officer of the respondent No.2 are directed to consider the objections filed by the petitioners objectively and take a decision on the objections so filed and thereafter, the respondent No.1 may take appropriate decision to proceed with the acquisition in so far as the land bearing Sy. No.9/4 of



Bhavanahalli Village, Kasaba Hobli, Malur Taluk, Kolar District,
is concerned.

6. In view of the above, the petition is **allowed**. The impugned final notification bearing No. ಸಿಐ 250 ಎಸ್ ಪಿ ಕ್ಯೂ 2020 dated 13.05.2025, which was published in the Official Gazette on 22.05.2025, issued by the respondent No.1 in so far as it relates to acquisition of land bearing Sy. No.9/4 of Bhavanahalli Village, Kasaba Hobli, Malur Taluk, Kolar District, is quashed. It is open for the Land Acquisition Officer attached to the office of the respondent No.2 to consider the objections filed by the petitioners in accordance with law after hearing them. It is open for the respondent No.1 to take necessary steps thereafter.

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