



CNR: KAHC010287192026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1232 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 M. V.
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 M.V.
AGED ABOUT 44 YEARS
S/O LATE VENKATARASAPPA,

Digitally
signed by
REKHA R
Location:
High Court
of
Karnataka



NC: 2026:KHC:36842-DB
WA No. 1232 of 2026

CNR: KAHC010287192026

R/AT MANGANAHALLI VILLAGE,
YESHWANTHAPURA HOBLI,
BENGALURU - 560 060.

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

...APPELLANTS

(BY SRI. CHETAN B., 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,
BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDALAH ROAD,
BANGALORE - 560 020.

...RESPONDENTS

(BY SRI.M.N. SUDEV HEGDE, AGA FOR R1,
SRI. MURUGESH V. CHARATI, ADVOCATE FOR R2 AND R3)



CNR: KAHC010287192026

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR THE RECORDS OF WP NO.8120/2026 FROM THE REGISTRY OF THIS HON'BLE COURT AND ALLOW THIS WRIT APPEAL AND SET ASIDE THE FINAL ORDER DATED:06.04.2026 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.8120/2026 AND ETC.,

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

This intra-Court appeal is by the unsuccessful petitioners in W.P.No.8120/2026, assailing the order dated 06.04.2026 passed by the Writ Court.

2. The Writ Court under the impugned order, dismissed the Writ Petition.

3. The parties are referred to as per their ranking before the Writ Court.



CNR: KAHC010287192026

4. Facts germane to file the present appeal are as under:

4.1 The Petitioners filed the Writ Petition seeking following reliefs:

- a) *Issue a Writ of Certiorari or order or direction in similar nature 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 Mananahalli Village, Yeshwantpura Hobli, Bengaluru North Taluk;*
- b) *Direct the Respondents to consider the representation dated 20.05.2025 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;*
- c) *Issue any order or orders as deems fit and proper under the circumstances of the case.*

4.2 Preliminary Notification dated 21.05.2008 proposing to acquire land for the purpose of formation of Nadaprahu Kempegowda Layout issued by the



CNR: KAHC010287192026

Bengaluru Development Authority¹, followed by Final Notification dated 18.02.2010. Late Venkatarasappa aggrieved by the Notification preferred Writ Petition in No.6705/2014 before the Writ Court. The Writ Court by means of its order dated 20.03.2015, disposed of the Writ Petition in terms of order passed in W.P.No.1379/2015 dated 27.01.2015 and set-aside the Notifications. The order passed in W.P.No.6705/2014 was the subject matter in the Writ Appeal, along with several orders passed by the Writ Court, in respect of the same subject matter, including in W.A.No.1783/2014 and other connected matters.

4.3 The Division Bench upholding the acquisition notifications, issued certain directions to the BDA insofar as considering permissible relief to the site holders and land holders. In W.A.No.1783/2014, the

¹ 'the BDA', for short



CNR: KAHC010287192026

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 in the aforementioned Writ Appeal.

4.4 Pursuant thereto, the petitioners herein (legal representatives of Late Venkatarasappa), had made a request for considering their case in terms of directions in W.A.No.1783/2014 to the BDA, which has ended in issuance of an endorsement at Annexure-A, rejecting the request of the petitioners. Aggrieved by the said endorsement, the petitioners filed the present Writ Petition in No.8120/2026.

4.5 Before the Writ Court, it was contended by the petitioners that, petitioner No.1 being the wife and petitioners 2 to 5 being the children of Late Venkatarasappa, have interest in respect of property



CNR: KAHC010287192026

bearing Sy.No.22/2 measuring 02 Acres out of 03 Acres 22 Guntas of Manganahalli Village, Yeshwanthpura Hobli, Bengaluru North Taluk. It was further contended that pursuant to the order passed by the Division Bench in the Writ Appeal, in the Writ Petition filed by their predecessor in title - Late Venkatarasappa in No.6705/2014, certain directions were issued *inter alia* on fulfillment of certain criteria, the BDA was directed to examine the case of the land owners and record a finding as to whether the lands could be left out.

4.6 The petitioners made a representation on 20.05.2024, seeking for dropping of the acquisition proceedings in respect of property in Sy.No.22/2 measuring 02 Acres in Manganahalli Village, Yeshwanthpura Hobli, Bengaluru North Taluk. It was urged in the representation that, the lands surrounding the petitioners' land had already been left out and the petitioners were running a brick



CNR: KAHC010287192026

factory since 2004 on the land, and requested for dropping of the acquisition proceedings.

4.7 As the representation was not considered, the petitioners were before the Writ Court in W.P.No.21695/2025, seeking a writ in the nature of Mandamus to consider their representation. The said Writ Petition was disposed of, directing the BDA to consider the representation and pass necessary order, while taking note of the order passed in W.A.No.1783/2014, permitting the petitioners to file fresh representation.

4.8 Thereafter, the petitioners made another representation to the BDA with similar request. Though the BDA considering the case of some of the land owners in terms of order passed in W.A.No.1783/2014, passed a Resolution on 31.07.2024, however, the said Resolution does not contain discussion regarding consideration of



CNR: KAHC010287192026

petitioners' case. The petitioners thereafter, were issued notices at Annexure-S1 to S3, describing the occupation of the petitioners' to be 'unauthorized' and directed them to vacate the possession within 07 days without considering their case in terms of directions issued in W.A.No.1783/2014. Accordingly, they sought to allow the Writ Petition, quash the Endorsement and direct the BDA to pass orders dropping their land from the acquisition.

- 4.9 The BDA appeared before the Writ Court through its counsel and contended that Venkatarasappa - the predecessor in title, had in fact expressed consent for passing the award in 50:50 ratio, i.e., developed land in *lieu* of 01 Acre of land and cash compensation in respect of another Acre of the land acquired. It was further contended that though the petitioners have relied on the directions in W.A.No.1783/2014, however when W.P.No.21695/2025 was disposed of, the only direction was for consideration of the



CNR: KAHC010287192026

representation of the petitioners in accordance with law. It was specifically contended by the BDA that once the consent award is passed, unless and until the same is set-aside by due process of law, the question of seeking dropping of proceedings does not arise.

4.10 The Writ Court after hearing the rival submissions, was of the opinion that the predecessor in title i.e., Venkatarasappa signed the Agreement dated 05.07.2012, in terms of which the land owner was entitled to get an extent of 9,583 Sq.ft. of developed sites as regards 01 Acre of land and cash compensation for the remaining 01 Acre of land. In the said agreement, there is a specific stipulation in Clause 7, which states that the land owner '*will not file any case in any Court against the first party*'.

4.11 The Writ Court further noticed that Venkatarasappa executed an agreement supra, subscribing his



CNR: KAHC010287192026

signature. The copy of the consent award dated 05.07.2012, which was also placed on record indicates at Paragraph No.17 that, compensation of Rs.1,00,00,000/- is fixed as regards to 01 Acre and 9,583 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, BDA. The copy of the award notice under Section 12(2) of the Land Acquisition Act was also placed before the Writ Court, which bears the signature of Venkatarasappa. In furtherance thereof, Venkatarasappa had filed an affidavit dated 23.07.2012 reiterating his readiness to claim compensation.

4.12 The Writ Court after considering the entire material and noticing the fact that at Paragraph No.4 of the order in W.P.No.21695/2025, a request was made seeking quashing of the consent given by



CNR: KAHC010287192026

Venkatarasappa by way of filing an application seeking amendment, however the said application was not adjudicated and the relief sought was not granted. The Writ Court from Paragraphs 28 to 34 of the impugned order concluded that, once the land owner had consented for passing of consent award as noticed with respect to the documents stated in Paragraphs 19 to 21 of the impugned order, they have no further legal right to seek reopening of the acquisition proceedings, which has culminated in a Consent Award. The reason being, the statutory Scheme introduced under the Land Acquisition Act would not provide for reopening of a Consent Award. In that view of the matter, the question of seeking any further reliefs, such as, dropping of acquisition of their land would not arise as long the Consent Award is intact as a part of the record.

4.13 The Writ Court reiterating that the Consent Award still remains, binding on the petitioners who claims



CNR: KAHC010287192026

through Venkatarasappa who is a *privy* to the Agreement, Consent Award as well as Affidavit, is binding on him as well as his legal representatives i.e., the petitioners and the petitioners who claim under him are now *estopped* from seeking any relief in terms of the Consent Award.

4.14 An attempt which was made to contend that the Consent Award passed is not acted upon is negated by the Writ Court and the Writ Court was of the opinion that there lies no cause of action to seek other reliefs as long as the said Consent Award is not set-aside by the competent Court. The Writ Court therefore, concludes that the endorsement issued by the 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. The Writ Court also observed that the present Writ Petition itself



CNR: KAHC010287192026

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. Accordingly, rejected the Writ Petition. It is this order passed by the Writ Court is called in question in this appeal.

5. Heard, Sri.Vikram A.Huilgol, learned Senior counsel assisted by Sri.Chetan.S, learned counsel for the petitioners, Sri.M.N.Sudev Hegde, learned Additional Government Advocate appearing for respondent No.1 and Sri.Murugesh V.Charati, learned counsel appearing for respondents 2 and 3.

6. The sheet anchor of attack by the petitioners is that, the Consent Award was not given effect to and the notices now issued stating that the petitioners are unauthorized occupants and directing them to vacate and handover the possession, clearly show that the possession is not taken and in that view of the matter, the Mahazar



CNR: KAHC010287192026

for taking possession was sham and created document. Hence, the order passed by the Writ Court does not survive for consideration.

7. Whereas, Sri.Murugesh V.Charati, learned counsel appearing for the BDA argued in support of the order passed by the Writ Court, contending that the writ Court having considered the Consent Award accepted by Late Venkatarasappa - the predecessor in title of the petitioners, as well as the affidavit executed by him expressing his readiness to receive compensation, which has culminated in passing of the Consent Award and issuance of a notice under Section 12(2) of the Land Acquisition Act, duly acknowledged by the signature of Venkatarasappa, the petitioners' claim seeking to drop their lands from acquisition proceedings cannot be countenanced and sought to dismiss the appeal.

8. Having heard the rival submissions, we are of the opinion that the Writ Court is right in holding that,



CNR: KAHC010287192026

once the landowners have consented for passing of the award as recorded in Paragraphs 19 to 21 of the impugned order, they have no further legal rights to seek the reopening of the acquisition proceedings, which had culminated in a Consent Award, otherwise the statutory scheme under the Land Acquisition Act has no meaning, if it is kept resurrecting on one or the other request. The Scheme by way of Consent Award was intended to bring a quietus to the entire acquisition proceedings between the parties, which has already been done long back in 2012. What is ordered in the earlier Writ Petition seeking Mandamus in W.P.No.21965/2025, as rightly considered by the Writ Court was, only a direction to the BDA to consider the representation in accordance with law. In view of the documents placed on record, the Writ Court has rightly observed that, the Consent Award by way of executing an agreement and an affidavit by Venkatarasappa - the predecessor in title of the petitioners, is binding not only upon him but also on the



CNR: KAHC010287192026

legal representatives, i.e., the petitioners herein. Consequently, the petitioners are *estopped* from seeking any relief which is not in terms of the consent award as long as the consent award remains intact. In that view of the matter, we find no grounds to interfere with the order passed by the Writ Court. The appeal sans merits and is accordingly, ***dismissed***.

9. In view of dismissal of Writ Appeal, pending interlocutory applications, if any, stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

TKN
List No.: 1 Sl No.: 5
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