



CNR: KAHC010387462026

NC: 2026:KHC:42590
WP NO.17389 OF 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S. INDIRESH

WRIT PETITION NO.17389 OF 2026 (LA-BDA)

BETWEEN:

SRI. P.C. THAMPI
S/O CHANDY OONNOONEY,
AGED ABOUT 74 YEARS,
R/AT NO.203, FEBA HOME,
HENNUR MAIN ROAD,
GEDDALAHALLI, KOTHANUR,
BENGALURU - 560 077.

...PETITIONER

(BY SRI. SAMPATH A., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. COMMISSIONER
BENGALURU DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU - 560 020.
3. SPECIAL LAND ACQUISITION OFFICER
BENGALURU BUSINESS CORRIDOR-07 (P.R.R.-01),
BENGALURU DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD,

Digitally signed
by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



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KUMARA PARK WEST,
BENGALURU-560 020.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1;
SRI. K. KRISHNA, ADVOCATE FOR
SRI. VASANTHA, ADVOCATE FOR R2 AND R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENTS 2 AND 3 TO RELEASE THE COMPENSATION AMOUNT OF RS.53,04,35,680/- (RUPEES FIFTY THREE CRORE FOUR LAKH THIRTY FIVE THOUSAND SIX HUNDRED AND EIGHTY ONLY) AS DETERMINED BY THE RESPONDENT NO.3 IN TERMS OF THE CONSENT AWARD DATED 18TH MARCH, 2026 VIDE ANNEXURE-D ALONG WITH INTEREST TO THE PETITIONER; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

In this petition, the petitioner is seeking direction to the respondents 2 and 3 to release the compensation amount of Rs.53,04,35,680/- along with interest in favour of the petitioner as determined by the respondent No.3 in terms of Consent Award dated 18th March, 2026 (Annexure-D).



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2. It is the case of the petitioner that the petitioner had purchased the land to an extent of 4 acres in Survey No.47 situate at Kothanuru Village, Krishnarajapura Hobli, Bengaluru South Taluk in terms of registered Sale Deed dated 11th August, 1995 (Annexure-A) and two other registered Sale Deeds dated 07th August, 1995 (Annexures 'B' and 'C'). It is stated in the petition that the respondent No.1 issued Preliminary Notification under Section 17(1) and (3) of the Bangalore Development Authority Act, 1976 (for short, hereinafter referred to as 'BDA Act') to acquire the subject land for the purpose of Bengaluru Business Corridor (Peripheral Ring Road Part-1) and same was Gazetted on 12th September, 2006. In furtherance of the same, the Final Notification under Section 19(1) of the BDA Act was issued, confining the acquisition to an extent of 1810 acre 18.50 guntas. It is also stated that the subject land is the portion of total extent of land acquired by the respondent-Authorities as per acquisition proceedings. Accordingly, the petitioner was called upon to produce the necessary documents for the purpose of determination of compensation and thereafter, Consent Award dated 18th March,



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2026 (Annexure-D) was passed by the respondent No.3 and determined the compensation amount of Rs.53,04,35,660/- ,after taking into consideration several aspects.

3. It is also averred in the petition that the Notice dated 24th March, 2026 (Annexure-E) under Section 12(2) of the Land Acquisition Act, 1894 was issued to the petitioner to produce all the relevant documents. Accordingly, the petitioner produced all the relevant documents including the affidavit and title deeds in respect of the subject land and thereby, respondent-Authorities have drawn-up Cheque bearing No.675823 in the name of the petitioner for disbursal of compensation amount. However, the same was not issued to the petitioner. Hence, the petitioner presented this petition seeking interference of this Court.

4. Heard Sri. Sampath A., learned counsel appearing for the petitioner, Smt. B.P. Radha, learned Additional Government Advocate appearing for the respondent No.1; and Sri. K. Krishna, learned counsel on behalf of Sri. Vasantha, appearing for the respondent No.3.



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5. Sri. Sampath A., learned counsel appearing for the petitioner submits that the petitioner had purchased the subject land as per registered Sale Deeds dated 11th August, 1995 (Annexure-A) and 07th August, 1995 (Annexures 'A' and 'B'). By referring to the documents filed in the rejoinder filed by the petitioner to the statement of objections filed by respondents 2 and 3 as to the fact that the subject land was granted in favour of Yellana Bhovi and Doddahanuma Bhovi, to an extent of 4 acres as per Darkasth proceedings dated 04th November, 1942 (Annexure-G) and also as per the Grant Register and relevant revenue documents, learned counsel appearing for the petitioner submits that the subject land has been granted in favour of the vendors of the petitioner.

6. In this regard, learned counsel appearing for the petitioner further referred to the RTC Extracts produced at Annexure-Q series in respect of the subject land issued from the year 1966-67 and submitted that name of the vendors of the petitioner and petitioner is shown in the RTC Extracts. He further submits that the mutation has been effected in favour of the petitioner. Accordingly, learned counsel appearing for the



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petitioner contended that, as the Consent Award dated 18th March, 2026 (Annexure-D) has been passed by the respondent No.3, after verifying the records, there is no impediment for the respondent-Bengaluru Development Authority to release the Cheque in favour of the petitioner for disbursal of compensation amount. Accordingly, he sought for interference of this Court.

7. Per contra, Sri. K. Krishna, learned counsel appearing for respondents 2 and 3 referred to the conditions stipulated in the Consent Award dated 18th March, 2026 (Annexure-D) and submitted that, at the time of issuing cheque for disbursal of compensation in favour of the petitioner, the documents have been verified and since, there is a doubt as to the ownership of the subject land, the clarification was sought for from the concerned authorities. Accordingly, he submits that, after clarification by the concerned authorities in respect of the ownership of the subject land, the necessary steps will be taken to disburse the compensation. By referring to the Official Memorandum dated 23rd March, 2022 issued by the Deputy Commissioner, Bengaluru District, it is also argued by learned counsel appearing for respondents 2 and 3 that the



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subject land has been identified as Gomal Land and same was reduced under Section 71 of the Karnataka Land Revenue Act for the purpose of acquisition to be made by the respondent-BDA and therefore, the said aspect has to be considered by this Court.

8. Smt. B.P. Radha, learned Additional Government Advocate appearing for the respondent No.1 referred to the letter dated 09th June, 2026 (Annexure-R7) addressed by the Tahsildar (Grade-2), Bengaluru South Taluk to the respondent No.3-Special Land Acquisition Officer and submitted that the genuineness of the grant made in favour of the vendors of the petitioner has to be considered only with the documents available in the office of the Regional Commissioner.

9. In the light of submission made by learned counsel appearing for the parties, on careful consideration of the material on record, it is forthcoming that the subject land bearing Survey No.47/1 and 47/2 has been granted in favour of Doddahanuma Bhovi and Yellana Bhovi as per Annexure-H. On perusal of the Appendix at Annexure-G would substantiate the fact that the subject land has been granted in favour of the



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aforementioned grantees as per Darkasth Proceedings dated 04th September, 1942. The RTC extracts produced by the petitioner also makes it clear that the subject land has been granted in favour of the aforesaid grantees.

10. On perusal of the records, it is forthcoming that, pursuant to the direction issued by the respondent-Bengaluru Development Authority, joint inspection has been conducted and paper publication has been made in respect of the subject land, which would suffice that the subject land has been granted in favour of Doddahanuma Bhovi and Yellana Bhovi as per Annexure-H and there is no rival claim in respect of the same. It is also to be noted that the petitioner had purchased the subject land as per registered Sale Deeds dated 11th August, 1995 (Annexure-A) and 07th August, 1995 (Annexures 'B' and 'C'). In that view of the matter, though there is a condition stipulated in the Consent Award dated 18th March, 2026 (Annexure-A) as to the verification of the documents, however, on perusal of the material on record, it is forthcoming from the revenue records that the vendors of the petitioner were in possession of the subject land and has been granted to



them as per the Darkasth Proceedings dated 04th September, 1942 (Annexure-G) so also, there is no rival claim in respect of the same. Therefore, I am of the view that the respondent-Authorities ought not to have questioned the genuineness of the grant of the subject land made in favour of vendors of the petitioner after an inordinate delay of seven decades.

11. Hon'ble Supreme Court in the case of ***JOINT COLLECTOR, RANGA REDDY DISTRICT AND ANOTHER vs. D. NARSING RAO AND OTHERS*** reported in (2015) 3 SCC 695, it is held that, in the event, if the respondent-Authorities question the genuineness of the grant, the same has to be done within a reasonable time. Therefore, taking into consideration the law declared by Hon'ble Supreme Court in the case of ***D. NARSING RAO*** (supra) and the catena of decisions made by this Court in an identical circumstances, I am of the view that the respondent-Authorities have committed an error in questioning the genuineness of the grant of subject land made in favour of the vendors of the petitioner herein, after a period of seven decades. In that view of the matter, the



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present petition deserves to be allowed. Accordingly, I pass the following:

ORDER

- (i) Writ Petition ***allowed;***
- (ii) Respondents 2 and 3 are directed to disburse the compensation amount of Rs.53,04,35,680/- to the petitioner as determined by the respondent No.3 in terms of Consent Award dated 18th March, 2026 (Annexure-D) in accordance with law, within an outer limit of one month from the date of receipt of this order;
- (iii) It is made clear that, as a matter of security, the respondent-Bengaluru Development Authority shall direct the petitioner to submit any affidavit/bond in respect of the compensation.

**SD/-
(E.S. INDIRESH)
JUDGE**

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List No.: 1 Sl No.: 8