



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2026

PRESENT

HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

HON'BLE MS. JUSTICE TARA VITASTA GANJU

M.F.A NO.6727 OF 2015 (LAC)

BETWEEN:

SRI. S. CHANDRAPPA
S/O SIDDAPPA
AGED ABOUT 50 YEARS
R/O GOPISHETTYKOPPA
SHIMOGA – 577 201

...APPELLANT

(BY SRI. SANGAMESH G PATIL., ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION
OFFICER, U.T.P.
SHIMOGA – 577 201
2. THE EXECUTIVE ENGINEER
U.T.P
SHIVAMOGA – 577 201

...RESPONDENTS

(BY SMT. RADHA RAMASWAMY., AGA FOR R1;
SRI. PRASHANTH B R, ADVOCATE FOR R2)

THIS MFA IS FILED UNDER SECTION 54(1) OF LAND ACQUISITION ACT, PRAYING TO DETERMINE THE MARKET VALUE OF THE APPELLANT IN LAND BEARING LAND SY.NO.23/3, 0-30 GUNTAS OF GOPISHETTYKOPPA VILLAGE, WHICH COMES WITHIN THE LIMITS OF SHIMOGA CITY, AT

Digitally signed
by SUMATHY
KANNAN
Location: HIGH
COURT OF
KARNATAKA



Rs.105/- AS PER SQ. FEET AND APPEAL IS VALUED FOR THE SUM OF RS.58,83,152/- AWARD ALL STATUTORY BENEFITS, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

1. Heard the learned counsel for both sides.
2. This is an appeal filed by the appellant under Section 54(1) of the Land Acquisition Act, 1894 (for short 'the LA Act') against a Common Judgment dated 08.02.2010 passed by the Court of the I Addl. Civil Judge (Sr.Dn) & CJM, Shimoga, in LAC Nos.15, 5, 16, 18, 19, 23, 32, 33 and 34/2001.
3. The appellant is the owner of 30 guntas of property in Sy.No.23/3 of Gopishettykoppa Village within Shimoga City limits and the land has been acquired for formation of Upper Thunga Project by a preliminary notification dated



19.03.1997 and by issuance of a final notification and the award was passed on 14.07.2000.

4. The learned counsel for the appellant submits that in respect of the very same notification pertaining to the very same village, this Court in MFA No.4642/2014 and connected cases, by an order dated 25.02.2020, considered identical issues with regard to the value of the land and has come to the conclusion that the market value of the land at the rate of Rs.105/- per square feet with solatium and statutory interest has to be granted.

5. We have heard the arguments of the learned counsel appearing for the appellant, the learned AGA for respondent No.1, the learned counsel for respondent No.2 and meticulously perused the material available on record. We have given our anxious consideration to the submissions advanced. The point that arises for our consideration in this appeal is:



“Whether the impugned judgment and award passed by the Reference Court calls for any interference?”

6. The pleadings and evidence on record indicate that the appellant’s land measuring 30 guntas situated in Sy.No.23/3 of Gopishettykoppa Village, Kasaba Hobli, Shimoga Taluk was acquired pursuant to a preliminary notification dated 19.03.1997 issued under Section 4(1) of the LA Act for the purpose of the Upper Tunga Project. The Special Land Acquisition Officer (SLAO) passed an award determining the market value of the land at Rs.66,000/- per acre. Being aggrieved by the said award, the appellant sought a reference under Section 18(1) of the Act. Upon reference, the Reference Court re-determined the market value at Rs.2,50,000/- per acre. The learned counsel for the appellant, however, relied on the judgment of a Co-ordinate Bench of this Court in the case of **A. Basavarajappa vs. The Special Land**



Acquisition Officer, Shimoga & Another¹, wherein the market value of the lands situated in the very same locality, i.e., Gopishettykoppa Village, Shimoga Taluk, acquired for the same purpose was re-determined at Rs.105/- per square feet.

7. Having perused the judgment in the case of ***A. Basavarajappa*** referred to supra, we find that the lands involved therein and the appellant's land in the present case are similar in nature, location and potentiality, and were acquired for the same purpose. It would therefore be unjust and inequitable to treat the appellant dissimilarly in the matter of compensation. Accordingly, we are of the considered view that the appellant would also be entitled to the same rate of compensation as awarded in the aforesaid case, that is, at Rs.105/- per square feet with solatium and interest.

8. The appeal is accordingly ***allowed***. The market value of the land measuring 30 guntas bearing Sy.No.23/3 of

¹ MFA No.4642/2014 & Connected Matters



Gopishettykoppa Village situated within Shimoga City limits, is re-determined at Rs.105/- per square feet. The appellant would be entitled to enhanced compensation at the rate of Rs.105/- per sq.ft. In addition, the appellant shall also be entitled to solatium and statutory interest available under the provisions of the Land Acquisition Act, 1894.

9. However, it is made clear that the appellant is not entitled to interest for the delay caused in filing the appeal as also for the period when the appeal stood dismissed for non-compliance.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

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List No.: 1 Sl No.: 9