



CNR: KAHC010412562025

NC: 2026:KHC:40636
WP No. 19735 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 19735 OF 2025 (LA-KIADB)

BETWEEN:

SRI. M.P. PRABHAKAR
S/O LATE PILLAPPA
AGED ABOUT 65 YEARS
R/AT. MADAPPANAHALLI VILLAGE
HESARAGHATTA HOBLI
BANGALORE NORTH TALUK
BANGALORE URBAN DISTRICT-560064

...PETITIONER

(BY SRI. CHANDRASHEKAR SWAMY K.B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF INDUSTRIES AND COMMERCE
REP BY ITS PRINCIPAL SECRETARY,
VIDHANA SOUDHA, AMBEDKAR VEEDI,
BANGALORE-560001.
2. KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
REP BY ITS CHIEF EXECUTIVE MEMBER,
4TH FLOOR, KHANIJA BHAVAN EAST WING,
RACE COURSE ROAD, BANGALORE-560001
3. OFFICE OF SPECIAL LAND ACQUISITION-2
KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD
B.M.I.C.P. AND BANGALORE RURAL DISTRICT
NO.14/3, CFC BUILDING, 1ST FLOOR,
MAHARSHI ARAVIND BHAVAN,
NRUPATUNGA ROAD, BANGALORE-560001

...RESPONDENTS

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



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(BY SRI. ADITYA DIWAKAR, ADDITIONAL GOVERNMENT ADVOCATE
FOR RESPONDENT NO.1;

SMT. ANUPARNA BORDOCOI, ADVOCATE FOR RESPONDENT NOS.2
AND 3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT
NO.3 TO CONSIDER THE REPRESENTATIONS OF THE PETITIONER
VIDE ANNEXURES-C DATED 24.02.2025 AND DIRECT THE
RESPONDENT NO.3 TO PAY THE COMPENSATION AMOUNT INFAVOUR
OF THE PETITIONER SINCE THE PETITIONER BECOME THE OWNER
OF THE PROPERTY ACQUIRED BY THE RESPONDENT NO.3 AS PER
THE JUDGMENT AND DECREE DATED 19.02.2025 PASSED IN
O.S.NO.375/2008 BY THE ADDITIONAL SENIOR CIVIL JUDGE AND
JMFC AT DEVANAHALLI VIDE ANNEXURE-A 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 petitioner has sought for a writ in the nature of
mandamus to direct respondent No.3 to consider his
representation dated 24.02.2025 and pay compensation to him
in view of the decree passed in O.S. No.375/2008 by the
Additional Senior Civil Judge and JMFC, Devanahalli. He has
also sought for a direction to respondent No.3 to pass a
consent award as provided under Section 29(2) of the
Karnataka Industrial Areas Development Act, 1966 (henceforth



referred to as 'KIAD Act' for short) by quashing the general award bearing No.KIADB/LAQ/2124/2023-24 dated 06.06.2023 in respect of the land bearing Sy.No.8 of Chapparadahalli Village, Kundana Hobli, Devanahalli Taluk.

2. (i) The petitioner contends that he entered into an agreement of sale with the owners of the land in Sy. No.8 of Chapparadahalli, measuring 03 acres 1 Gunta. Since the owners resiled from the agreement, he filed a suit in O.S. No.375/2008 for specific performance of the said agreement. In the meanwhile, the owners conveyed the said property through their power of attorney to Mr. Mohamed Asif Jilani. The petitioner impleaded the power of attorney holder of the vendors as well as the subsequent purchaser. In the meanwhile, the subsequent purchaser died and no steps were taken to bring the legal heirs on record. The Trial Court after an enquiry, decreed the suit and held that the plaintiff was entitled to a decree of specific performance. It also declared that the sale deed executed by the power of attorney holder of the vendors in favour of the subsequent purchaser was not binding on petitioner.



(ii) The petitioner contends that the aforesaid land was acquired under the provisions of the KIAD Act and compensation of Rs.74,39,781/- was determined. He contends that since he holds a decree of specific performance, he is entitled to receive the compensation. In this regard he filed a representation dated 24.02.2025 before respondent No.3. He contends that the said representation is not considered and therefore seeks a direction to respondent No.3 to consider the same. Alternatively, he seeks a direction to respondent No.3 to set aside the general award dated 06.06.2023 and pass a consent award under Section 29(2) of the KIAD Act.

3. The learned counsel for the petitioner reiterated the aforesaid contentions and prays to issue a direction to respondent No.3 to consider the representation of the petitioner.

4. A perusal of the judgment and decree passed in O.S.No.375/2008 would show that the subsequent purchaser was deleted from the array of parties on the ground that he was expired. No steps were taken by the petitioner to implead the legal heirs of the subsequent purchaser. Nonetheless, the



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Trial Court proceeded to decree the suit and declared that the sale deed executed in favour of the subsequent purchaser does not bind the plaintiff/petitioner. It is therefore, evident that the judgment obtained by the petitioner is only *inter se* between the petitioner and his vendors and does not bind the legal heirs of the subsequent purchaser.

5. In that view of the matter, the petitioner cannot compel the respondent Nos.2 and 3 to release the compensation in his favour or seek for a direction to pass a consent award under Section 29(2) of the KIAD Act. Moreover, the legal representatives of the subsequent purchaser are not arrayed as parties in the present petition. Therefore, no effective directions can be issued to respondent No.3 to consider the representation of the petitioner. Consequently, the petition is ***dismissed.***

Sd/-
(R. NATARAJ)
JUDGE

HJ
List No.: 1 Sl No.: 28