



CNR: KAHC010447232026

NC: 2026:KHC:47835
WP No. 20393 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 20393 OF 2026 (LA-KIADB)

BETWEEN:

SRI DASHARATH
S/O LATE, KRISHNAPPA,
AGED ABOUT 51 YEARS,
NO.957/1A, NEW NO. CH-29/1A,
3RD MAIN, SHESHADRI IYER ROAD,
CHAMARAJA MOHALLA, LAKSHMIPURAM,
MYSURU - 570 004.

...PETITIONER

(BY SRI. LINGARAJU K.R., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP., BY IT'S UNDER SECRETARY,
DEPARTMENT OF INDUSTRIES AND COMMERCE,
M.S. BUILDING, DR. B. R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD,
REP., BY IT'S CHIEF EXECUTIVE OFFICER,
NO.2, KALIDASA MARG, GANDHINAGAR,
BENGALURU - 560 009.

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



NC: 2026:KHC:47835
WP No. 20393 of 2026

CNR: KAHC010447232026

3. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
REGIONAL OFFICE MYSURU,
MYSURU DISTRICT - 570 016.

...RESPONDENTS

(BY SRI. ADITYA DIWAKAR, AGA FOR R1
SRI. VASANTHA, ADVOCATE FOR R2 AND R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE PRELIMINARY NOTIFICATION BEARING NO. CI 737 SPQ 2007 DATED 04/04/2008 ISSUED BY THE RESPONDENT NO.1 VIDE ANNEXURE -A, PUBLISHED UNDER SECTION 28(1) OF THE KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD ACT., 1966 FOR THE PURPOSE OF UPGRADING THE MYSURU AIRPORT IN RESPECT OF THE PETITIONER LAND BEARING SY, NO.94/3 MEASURING 1 ACRE (PROPERTY NO. 152200416053020244 MEASURING 4046.02 SQUARE METERS) SITUATED AT HADAGANA VILLAGE, VARUNA HOBLI, MYSURU TALUK AND DISTRICT. (SL. NO.19 IN THE PRELIMINARY NOTIFICATION).

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ



CNR: KAHC010447232026

NC: 2026:KHC:47835
WP No. 20393 of 2026

ORAL ORDER

The petitioner has called in question a preliminary notification bearing No.CI/737/SPQ/2007 dated 04.04.2008 issued by respondent No.1 under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966 (henceforth referred to as "the KIAD Act") in respect of land bearing survey No.94/3 measuring 1 acre of Hadagana village, Varuna Hobli, Mysuru Taluk and District.

2. The petitioner contends that the land in Survey No. 94/3 measuring 2 acres 21 guntas, was converted for non-agricultural residential purposes in terms of an official memorandum dated 09.04.2008. After such conversion, there was a partition amongst the owner and his children. Subsequently, the petitioner purchased one acre of the converted land in terms of sale deed dated 11.08.2016 and his name was entered in the concerned municipal records. The petitioner thus contends that he is the owner of the land bearing No.94/3 of measuring 1 acre in Hadagana village, Varuna Hobli, Mysuru Taluk and District.



CNR: KAHC010447232026

3. The petitioner contends that preliminary notification dated 04.08.2008 was issued by respondent No. 1 under Section 28(1) of the KIAD Act proposing to acquire the above land for 'upgrading the Mysuru Airport'. The petitioner claims that this proposal to acquire the aforesaid land was not reflected in the revenue records. He further contends that respondent No. 1 has not taken any steps to finalise the acquisition by issuing a final notification. Therefore, the acquisition has remained a mere proposal and hence cannot affect the rights of the petitioner.

4. The learned counsel for the petitioner reiterated the above submissions and submitted that the impugned preliminary notification has spent itself and is therefore liable to be set aside.

5. A statement of objections is filed by the respondent Nos.2 and 3, wherein it is *inter alia* contended that "The State Government has issued a preliminary



CNR: KAHC010447232026

notification dated 04.04.2008 to acquire 52 acres 16 guntas of land in Mandakalli Village, Varana hobli, Mysuru Taluk and 38 acres 27 guntas in Marasse Village and 56 acres 1 gunta in Hadagana village for the purpose of improvement of the Mysuru Airport. Thereafter a final notification was issued for certain portion of the lands notified in the preliminary notification for the extension of runway of the airport. As far as the remaining notified lands are concerned, a final notification was not issued including the land in survey No.94/3 since the administrative approval was not received. Thereafter, no further steps have been taken in respect of the above acquisition and a final notification has not been issued so far."

6. The statement of objections filed by the respondents makes it clear that a final notification is not issued in respect of the land in Survey No.94/3 of Hadagana Village. Hence, the proposal has remained a mere proposal which is not acted upon by respondent



**NC: 2026:KHC:47835
WP No. 20393 of 2026**

No.1. Therefore, the continued existence of this preliminary notification in the records of respondent No.1 would only cast a cloud on the title of the petitioner in respect of the land mentioned above.

7. In that view of the matter, I proceed to pass the following:

ORDER

- i. The writ petition is ***allowed***;
- ii. The impugned preliminary notification bearing No.CI/737/SPQ/2007 dated 04.04.2008 issued by respondent No.1 in respect of the land bearing survey No.94/3 of Hadagna village, Varuna Hobli, Mysuru Taluk, measuring 1 acre belonging to the petitioner, is hereby quashed.
- iii. If the name of respondent No.2 is entered in the revenue records of the land in Survey No.94/3 of Hadaganahalli based on the



**NC: 2026:KHC:47835
WP No. 20393 of 2026**

CNR: KAHC010447232026

preliminary notification which is hereby
quashed, the same shall stand deleted and
the name of the petitioner shall stand restored
to the extent of one acre.

- iv. In view of disposal of the petition, pending
interlocutory applications if any, do not
survive for consideration and the same stand
disposed accordingly.

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

SKS