



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 20491 OF 2026 (LA-RES)

BETWEEN:

SRI. M. BYREGOWDA
S/O. SRI. MUNIVENKATAPPA
AGED ABOUT 63 YEARS,
RESIDING AT DODDAHOSAHALLI VILLAGE,
CHANNARAYAPATNA HOBLI,
DEVANAHALLI
BENGALURU RURAL DISTRICT -562 165

...PETITIONER

(BY SRI. S. KALYAN BASAVARAJ, ADVOCATE)

AND:

1. UNION OF INDIA
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
ROOM NO.316, TRANSPORT BHAWAN,
1, PARLIAMENT STREET (SANSAD MARG),
NEW DELHI - 110001
2. THE SPECIAL LAND ACQUISITION OFFICER
AND COMPETENT AUTHORITY
N.H.207, HOSKOTE-DOBBASPET SECTION
SITE OFFICE, NELAMANGALA
BENGALURU RURAL DISTRICT

...RESPONDENTS

(BY SRI. M. UNNIKRISHNAN, CENTRAL GOVERNMENT STANDING
COUNSEL FOR RESPONDENT NO.1;

SRI. N. SHOBHITH SHETTY, ADVOCATE FOR RESPONDENT NO.2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED

Digitally signed
by HEMALATHA
J
Location: HIGH
COURT OF
KARNATAKA





NOTICE DATED 07.04.2026 BEARING NO.L.A.Q/N.H.207/CR/102/2026-27 ISSUED BY THE 2ND RESPONDENT, PRODUCED AT ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, 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 certiorari to quash a notice bearing No.LAQ/N.H.207/CR/102/2026-27 dated 07.04.2026 issued by respondent No.2.

2. (i) Briefly stated, the facts are that, the petitioner was the owner of land bearing Sy. No.38 of Boodihal village, Kasaba Hobli, Devanahalli Taluk, Bengaluru Rural District, which was acquired by respondent No.2 for the purpose of widening the National Highway 207 to an extent of 0.07 guntas, 0.2¼ guntas and ¼ gunta in Sy. No.38 of Boodihal Village. The petitioner did not oppose the acquisition, following which, an award was passed and compensation was paid to the petitioner.



(ii) The petitioner claims that there were disputes regarding the bifurcation of Sy. No.38 of Boodihal Village between him and his brother, which was a subject matter in W.P. No.28695/2025, pursuant to a decree of compromise entered into between them in O.S.No.384/1996. The petitioner had questioned the bifurcation effected in the name of his brother on the ground that the same was done without following the due procedure. The petitioner claims that on account of the said dispute, his brother was inimically ill-disposed towards him and lodged a frivolous complaint before respondent No.1 alleging that the petitioner had wrongfully received the compensation in respect of Sy.No.38 of Boodihal Village. The petitioner claims that based on such complaint, the respondent No.2 issued a notice calling upon the petitioner to appear before him to take necessary action. The petitioner being aggrieved by the said notice is before this Court.

3. The learned counsel for the petitioner submitted that the petitioner had received the compensation in the year 2014 and that the impugned notice is issued nearly 12 years



thereafter. He contends that respondent No.2 has no authority or power to issue the impugned notice. He thus submits that the impugned notice, being one issued without jurisdiction, is liable to be set at naught.

4. Per contra, the learned Central Government Standing Counsel for respondent No.1 and the learned counsel for respondent No.2, in unison, submitted that respondent No.2 has received a complaint alleging that the petitioner had wrongly received the compensation in respect of Sy. No.38 of Boodihal village and therefore a duty is cast upon the respondent No.2 to redress the grievance raised by the complainant. They therefore submit that the respondent No.2 is fully justified in inquiring into the complaint lodged against the petitioner. They contend that if the petitioner has any justification, he may appear before respondent No.2 and justify his receipt of the compensation.

5. I have considered the submissions of the learned counsel for the petitioner and the learned Senior Central Government Standing Counsel for respondent No.1 and learned counsel for respondent No.2.



6. The respondent No.2 is the competent authority to determine and disburse the compensation. When a statute empowers respondent No.2 to perform a particular act, it also clothes him with the jurisdiction to take necessary action. In the instant case, the petitioner has received compensation in respect of Sy.No.38 of Boodihal Village, Kasaba Hobli, Devanahalli Taluk. The petitioner's brother who purportedly had a grievance against the petitioner, lodged a complaint before respondent No.2 alleging that the petitioner had received the compensation though he was not entitled to the same. Once such a complaint was received, and having regard to the indemnity bond executed by the petitioner in favour of respondent No.2, the latter is bound to inquire into the complaint and bring the enquiry to a logical end.

7. Under these circumstances, the impugned notice cannot be assailed by the petitioner. On the contrary, it would augur well for both the petitioner and his brother to appear before respondent No.2 and justify the payment of compensation. This Court cannot go into the question whether the respondent No.2 was justified in issuing the impugned



notice or whether the petitioner was justified in receiving the compensation.

8. In that view of the matter this petition is ***dismissed.***

9. It is open for the petitioner to appear before the respondent No.2 on the date given for hearing. It is made clear that the respondent No.2 shall consider the explanation that may be offered by the petitioner uninfluenced by any observations made by this Court.

10. All contentions of the parties are kept open to be considered by the respondent No.2.

Sd/-
(R. NATARAJ)
JUDGE

HJ
List No.: 1 Sl No.: 1