



CNR: KAHC010479902026

NC: 2026:KHC:36514
WP No. 21369 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 21369 OF 2026 (GM-RES)

BETWEEN:

MR M P VIJAYKUMAR
S/O, R PAPANNA,
AGED ABOUT 65 YEARS,
RESIDING AT, CHIKKAMARIYAMMA TEMPLE ROAD,
MALUR TOWN, MALUR, TALUK,
KOLAR DISTRICT 563130

...PETITIONER

(BY SRI. SHRIRAMA., ADVOCATE)

AND:

1. STATE HIGHWAY AUTHORITY
DEPARTMENT OF URBAN DEVELOPMENT,
VIKAS SOUDHA, 560001
ITS PRINCIPAL SECRETARY,
2. EXECUTIVE ENGINEER
KARNATAKA STATE HIGHWAYS
IMPROVEMENT PROJECTS,
PROJECT IMPLEMENTATION UNIT
K.R CIRCLE,
BENGALURU 560001

...RESPONDENTS

(BY SRI. MOHAMMAD JAFAR SHAH., AGA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR
DIRECTION RESTRAINING THE RESPONDENTS FROM DEMOLISHING,

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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DISPOSSESSING, OR INTERFERING WITH THE PETITIONER'S SCHEDULE PROPERTIES AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs;
 - a) *Issue a Writ of Mandamus or any other appropriate writ, order or direction restraining the Respondents from demolishing, dispossessing, or interfering with the Petitioner's schedule properties and;*
 - b) *Direct the Respondents to provide all relevant survey records, sketches, road alignment plans and other documents pertaining to the proposed road widening project;*
 - c) *Direct the Respondents to afford the Petitioner a reasonable and effective opportunity of hearing before taking any coercive action against the Petitioner's property;*
 - d) *Direct the Respondents not to proceed with demolition or acquisition proceedings of the schedule properties without strictly following due process of law and principles of natural justice;*
 - e) *Pass such other order or direction as this Hon'ble Court deems fit in the interests of justice and equity.*



2. The petitioner has approached this Court on the apprehension that the respondents are likely to demolish portions of the petitioner's property situated in Sy. Nos. 83/1, 83/2, 83/3 and 32/1 of Maloor Village, Kasaba Hobli, Maloor Taluk.
3. The said apprehension arose on account of certain markings made by the respondents on and around the petitioner's property. According to the petitioner, the markings indicated that the respondents were proposing to undertake demolition without following the due process of law.
4. Learned counsel for the petitioner categorically submitted that no proceedings have been initiated for the acquisition of any portion of the petitioner's land either for the purpose of widening the existing National Highway or for any other public purpose. It was, therefore, contended that, in the absence of acquisition proceedings or any authority in law, any attempt by the respondents to interfere with or demolish the petitioner's property would be wholly illegal and violative of the petitioner's rights.
5. In view of the above submission, this Court called upon the learned Additional Government Advocate to obtain instructions and clarify whether any



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acquisition proceedings had been initiated in respect of the petitioner's property and whether the respondents intended to demolish any portion of the petitioner's existing construction.

6. Pursuant thereto, the learned Additional Government Advocate, on instructions from respondent No.2, submitted that the markings were made only pursuant to a survey conducted for the limited purpose of identifying the extent of land that may be required for a proposed widening of the existing National Highway. It is submitted that no final decision has yet been taken regarding acquisition and that the survey was merely a preliminary exercise undertaken for the purpose of preparing the proposal.
7. It is further submitted that, based on the survey, the necessary particulars have been collected and a proposal for acquisition has been forwarded to the competent Government for its approval. It is only upon such approval that the statutory process of acquisition would be initiated by issuance of the requisite notifications in accordance with law. The learned Additional Government Advocate has categorically stated that until the acquisition



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proceedings are duly initiated and completed in accordance with the applicable statutory provisions, the respondents shall not undertake any demolition or interfere with the petitioner's property. The said statement adequately addresses the apprehension expressed by the petitioner and sufficiently safeguards the petitioner's interests.

8. Recording the aforesaid submission and undertaking made on behalf of the respondents, this writ petition stands **disposed of**.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

KTY
List No.: 2 SI No.: 9