



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 23768 OF 2025 (LA-KIADB)

BETWEEN:

SRI. B.N. RAJE URS
S/O NATARNJE ARASU
AGED ABOUT 68 YEARS
R/AT NO.360
KETHIGANAHALLI MAIN ROAD
BIDADI, RAMANAGARA TALUK.

...PETITIONER

(BY SRI. AVINASH GOWDA G.S., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
VIKASA SOUDHA
BENGALURU-560001
REPRESENTED BY ITS SECRETARY
2. KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD
49, 4TH AND 5TH FLOORS,
'EAST WING', KHANIJA BHAVAN,
RACE COURSE ROAD,
BENGALURU-560001
REPRESENTED BY CHIEF EXECUTIVE OFFICER
3. SPECIAL LAND ACQUISITION OFFICER
SPECIAL LAND ACQUISITION OFFICE - 2
1ST FLOOR, MAHARSHI ARAVINDA BHAVAN,
NRUPATHUNGA ROAD
BENGALURU - 560001

Digitally
signed by
H. MALATHA J
Location:
HIGH COURT
OF
KARNATAKA



4. M/S NANDI INFRASTRUCTURE
CORRIDOR ENTERPRISES LTD.
NO.01, FORD GARDENS,
OPP. M.G. ROAD,
BENGALURU-560001
REPRESENTED BY THE MANAGING DIRECTOR

...RESPONDENTS

(BY SRI. H.L.PRADEEP KUMAR, ADVOCATE FOR RESPONDENT NO.1;
SRI. B.B.PATIL, ADVOCATE FOR RESPONDENT NOS.2 AND 3;
SRI. NITIN PRASAD, ADVOCATE FOR RESPONDENT NO.4)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT TO QUASH THE
PRELIMINARY NOTIFICATION ISSUED BY THE THIRD RESPONDENT
BEARING NO. CI 196 SPQ 98 DATED 21.07.1999 PRODUCED HERETO
AS ANNEXURE-A.

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 called in question the preliminary
notification bearing No.CI:196:SPQ:1998 dated 21.07.1999
issued by the respondent No.1 under Section 28(1) of the
Karnataka Industrial Areas Development Act, 1966 (henceforth
referred to as 'the KIAD Act').

2. (i) The petitioner claims that 01 acre 27 guntas
in Sy.No.130/2B of Banandur Village, Bidadi Hobli, Ramanagara



Taluk was owned and possessed by his father, after the death of his father, the revenue records of the aforesaid property was transferred to his mother and after her death, the petitioner filed O.S.No.222/2016 seeking partition of his share in the joint family property. The Trial Court in terms of the judgment and decree dated 01.04.2023 decreed the suit in terms of a compromise entered into between him and his siblings.

(ii) He claims that the respondent No.1 had issued a notification under Section 28(1) of the KIAD Act, proposing to acquire 01 acre, 27 guntas of land in Sy.No130/2B, in terms of a notification dated 21.07.1999 for the purpose of respondent No.4. He contends that even after 25 years, the respondents did not issue any final notification under Section 28(4) of the KIAD Act. He contends that the respondents have thus abandoned the acquisition. He contends that similarly placed land losers had approached this Court in various Writ Petitions and that this Court in W.P.Nos.29365/2024, 29385/2024 and 28886/2024 quashed the preliminary notification. The petitioner has therefore challenged the preliminary notification



and has also sought for a declaration that the acquisition has lapsed.

3. Learned counsel for the petitioner reiterated the above contentions and submitted that after issuance of a preliminary notification, the respondent No.1 has not taken any steps to issue the final notification and therefore, the petitioner cannot be kept waiting endlessly. He therefore submits that the acquisition has lapsed and prays for a declaration to that effect.

4. The learned counsel for the respondent No.1 and learned counsel for respondent Nos.2 and 3 does not dispute the fact that after issuance of a preliminary notification no steps are taken to issue a final notification. They also do not dispute that similar questions of fact and law arose for consideration in W.P.Nos.29365/2024, 29385/2024 and 28886/2024 and that this Court had quashed the preliminary notification and allowed the land losers to utilize their land.

5. The learned counsel for respondent No.4 on the other hand contended that the delay in issuing the final notification is only attributable to the respondent Nos.1 and 2



and therefore liberty be reserved to respondent No.4 to take necessary action against the respondent Nos.1 and 2.

6. I have considered the submissions of the learned counsel for the petitioner as well as learned counsel for the respondent No.1, learned counsel for respondent Nos.2 and 3 and learned counsel for respondent No.4.

7. It is not in dispute that after a preliminary notification dated 21.07.1999 issued by the respondent No.1 under Section 28(1) of the KIAD Act, no steps are taken to issue a final notification. As rightly contended by the learned counsel for the petitioner, the petitioner cannot be kept waiting endlessly and he cannot be deprived of the use of his land for whatever purpose that he intends to. Therefore, the proposal to acquire the land of the petitioner has remained a proposal and the acquisition has not been concluded. Consequently, the petitioner is entitled to utilize his land for whatever purpose that he desires.

8. In view of the above, the following order is passed:

ORDER

- i. The petition is ***allowed***;



- ii. The impugned preliminary notification bearing No.CI:196:SPQ:1998 dated 21.07.1999 issued by the respondent No.1, in respect of the property bearing Sy.No.130/2B measuring 01 acre 27 guntas Banandur Village, Bidadi Hobli, Ramanagara Taluk, is quashed;
- iii. It is also declared that the proposal to acquire the aforesaid land has lapsed. Consequently, any entry of the name of the respondent No.1 or the respondent No.2 in the revenue records of the aforesaid land shall stand deleted and the name of the petitioner shall stand restored forthwith;
- iv. The respondent No.4 is at liberty to proceed against the respondent No.1 and 2 for not taking out necessary steps to conclude the acquisition.

Sd/-
(R. NATARAJ)
JUDGE