



CNR: KAHC010529352023

NC: 2026:KHC:39117  
WP No. 23008 of 2023

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 28<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE R. NATARAJ**

**WRIT PETITION NO. 23008 OF 2023 (LA-KIADB)**

**BETWEEN:**

1. VEERABHADRAYYA  
S/O LATE CHANNABASIAH  
AGED ABOUT 72 YEARS  
OCCUPATION: AGRICULTURE
2. KOTRAMMA  
W/O LATE HALAIAH  
AGED ABOUT 58 YEARS  
OCCUPATION: HOUSE WIFE
3. RUDRAIAH H.M  
S/O LATE HALAIAH  
AGED ABOUT 36 YEARS  
OCCUPATION: HOUSE WIFE
4. CHANDRASHEKHARIAH  
S/O LATE HALAIAH  
AGED ABOUT 31 YEARS  
OCCUPATION : AGRICULTURE
5. VEERAYYA  
S/O LATE CHANNABASIAH  
AGED ABOUT 63 YEARS  
OCCUPATION: AGRICULTURE

ALL ARE RESIDENTS OF  
CHIKKABUDIHALA VILLAGE

HARAIHARA TALUK  
DAVANAGERE DISTRICT-577 006

...PETITIONERS

(BY SRI. HIEMATHAD MAHESHAIAH RUDRAYYA, ADVOCATE)

Digitally  
signed by  
HEMALATHA J  
Location:  
HIGH COURT  
OF  
KARNATAKA



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**AND:**

1. STATE OF KARNATAKA  
REPRESENTED BY ITS SECRETARY  
DEPARTMENT OF REVENUE  
VIDHANA SOUDHA  
AMBEDKAR VEEDHI, BANGALORE - 560 001
2. THE CHIEF EXECUTIVE OFFICER  
AND EXECUTIVE MEMBER,  
KIADB, EAST WING  
KHANIJA BHAVANA  
RACE COURSE ROAD, BENGALURU - 560 001
3. THE DEPUTY COMMISSIONER  
DAVANAGERE DISTRICT  
DAVANAGERE-577 002
4. THE ASSISTANT COMMISSIONER  
DAVANAGERE SUB DIVISION,  
DAVANAGERE - 577 002
5. THE LAND ACQUISITION OFFICER  
KIADB, SITE NO. C-A (1-B)  
GROUND FLOOR  
KARURU INDUSTRIAL AREA  
OPPOSITE JILLADALITAHA BHAVANA  
P.B.ROAD, DAVANAGERE - 577 006
6. THE THAHASILDAR  
HARIHARA TALLUK  
DAVANAGERE DISTRICT-577 530
7. SMT. IRAMMA  
W/O B. RUDRAPPA  
AGED ABOUT 62 YEARS  
OCC: HOUSEWIFE  
RESIDENT OF SARATHI VILLAGE  
HARAIHARA TALLUK  
DAVANAGERE DISTRICT-577 601

...RESPONDENTS

(BY SMT. POOJA M KOORSE, HCGP FOR R1, R3, R4 AND R6;  
SRI. K. KRISHNA, ADVOCATE FOR R2 AND R5;  
SRI. SANTHOSH R. NELKUDRI, ADVOCATE FOR R7)



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ENDORSEMENT DATED 06.09.2023, ISSUED BY THE RESPONDENT NO.5 PRODUCED AT ANNEXURE-S BY DIRECTING THE R5 TO PAY COMPENSATION IN RESPECT OF ACQUISITION OF LAND IN SURVEY NO.83/4 OF SARATHI VILLAGE IN HARIHARA-TALUK, MEASURING TO EXTENT OF 01 ACRE AND 13 GUNTAS.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

### **ORAL ORDER**

The petitioners have sought for a writ in the nature of certiorari to quash the endorsement bearing No.ಕೆಎಡಿಬಿ/ಭೂಸ್ವಾ(ದಾ)/ಸಾರಥಿ-ಕರಲಹಳ್ಳಿ-1/2020-21/479 dated 06.09.2023 issued by the respondent No.5 and to direct the respondent No.5 to pay compensation in respect of the acquisition of land bearing Sy.No.83/4 of Sarathi Village, measuring 1 acre 13 guntas.

2. (i) The petitioners contend that their predecessor, Sri.Channabasaiah, owned 16 acres 8 guntas of land including 7 guntas of kharab in Sy.No.83 of Sarathi Village. He sold major portion of the aforesaid land to different



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persons, including the father-in-law of the respondent No.7 to whom he sold 4 acres. Therefore, what remained with him after such sale was 1 acre 13 guntas, which stood in his name till the year 2015-16. The petitioners claim that the land in their possession was bifurcated as Sy.No.83/4 and the revenue records of Sy.No.83/4 stood in the name of Sri.Channabasaiah.

(ii) When things stood thus, the respondent No.6 passed an order in case No.ಆರ್.ಆರ್.ಟಿ:ಕೆ.ಆ.ಸಿ.ಆರ್:339/2015-16 replacing the name of predecessor of the petitioners by the name of father-in-law of the respondent No.7. Thereafter, the land in Sy.No.83/4, was mutated to the name of the father-in-law of the respondent No.7. The said land was acquired by the respondent No.1 for the purposes of the respondent No.2.

(iii) The husband of the respondent No.7 filed an application before the respondent No.1 claiming compensation. As there was a defect in title of the respondent No.7, the respondent No.5 sought clarification from the respondent No.4 in terms of a communication dated 09.11.2021. This was then forwarded to the respondent No.6, who reported on 10.02.2022



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that there was no sale deed in favour of the father-in-law of the respondent No.7. Based on the same, the respondent No.4 registered a *suo-moto* appeal in case No.ಆರ್ಎ/ಸಿಆರ್/308/2021 and passed an order dated 22.09.2022, closing the dispute.

(iv) The petitioners contend that after they came to know the illegal transfer of Khatha of the land bearing Sy.No.83/4 to the name of the father-in-law of the respondent No.7 and the claim made by the husband of the respondent No.7 for compensation, the son of the petitioner No.5 submitted a request before the respondent No.4 to reconsider the order passed in case No.ಆರ್ಎ/ಸಿಆರ್/308/2021. He also requested the respondent No.5 not to release the compensation in favour of the respondent No.7.

3. Based on the above the respondent No.4 passed an order deleting the name of the father-in-law of the respondent No.7 from revenue records and to restore the name of the petitioners. He also recommended to the respondent No.5 to pay the compensation to the legal heirs of Sri.Channabasaiah. The petitioners claim that after the aforesaid order was passed



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a request was sent through their advocate requesting the respondent No.5 to pay compensation in respect of the land in Sy.No.83/4. The petitioners allege that without considering the order passed by the respondent No.4 and without considering their objections, the respondent No.5 issued an endorsement dated 06.09.2023 stating that the compensation is already paid to the respondent No.7 and therefore, there is no question of paying compensation again to the petitioners. A statement of objections is filed by the proposed respondent in I.A.No.1/2023, wherein she has stated that after filing of this writ petition, a notice was issued to the respondent No.7 to re-deposit the compensation in view of an indemnity bond was submitted by her.

4. Being aggrieved by the said endorsement, the petitioners are before this Court.

5. The learned counsel for the petitioners invited the attention of the Court to the order passed by the respondent No.4, which shows that he had directed the restoration of the name of the petitioners in the revenue records relating to Sy.No.83/4 of Sarathi Village, after deleting the name of the



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father-in-law of the respondent No.7. He also directed the respondent No.5 to release the compensation payable in respect of the acquisition of Sy.No.83/4. However, by the time the respondent No.4 passed the above order, the compensation was already released to the respondent No.5 on 31.05.2023. Therefore, the petitioners cannot compel the respondent No.5 to pay the compensation. However, the respondent No.7 after being notified about the order passed by the respondent No.4 was bound to take steps.

6. In view of the notice issued to respondent No.7 to redeposit the compensation, the respondent No.5 is bound to follow up to recover the compensation from the respondent No.7 in the manner known to law and thereafter, pay the compensation to the petitioners.

7. In view of the above, this writ petition is ***disposed of***, directing the respondent No.5 to take further steps to recover the compensation from the respondent No.7 in accordance with law and tender the same to the petitioners. The respondent No.7 is directed to re-deposit the compensation before the respondent No.5 by depositing 50% within three



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months and balance 50% within another three months thereafter. After such deposit, the respondent No.5 shall take steps to pay the compensation to the petitioners.

8. In view of the disposal of the writ petition, I.A.No.2/2023 does not survive for consideration.

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

BKN/List No.: 1 Sl No.: 25