



CNR: KAHC010530352025

NC: 2026:KHC:42787
WP No. 24629 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 24629 OF 2025 (LA-BDA)

BETWEEN:

1. DR. B SAGUNARTHY
S/O BRAMANANDA,
AGED ABOUT 78 YEARS,
RESIDING AT NO.44,
KANAKAPURA MAIN ROAD,
BASAPANAPALYA, BENGALURU-560 062.
2. SRI. B.NIRGUNARTHY
S/O BRAHMANANDA,
AGED ABOUT 78 YEARS,
RESIDING AT NO.38, 31ST MAIN,
JP NAGAR, 1ST PHASE, BENGALURU-560 078.
3. SRI. B.SHIVARTHY
S/O BRAHMANANDA,
AGED ABOUT 76 YEARS,
RESIDING AT NO.38, 31ST MAIN,
JP NAGAR 1ST PHASE, BENGALURU-560 078.

THE PETITIONER NOS.1 TO 3 ARE
REPRESENTED BY THEIR GPA HOLDER
K. SELVARAJ S/O LATE M. KRISHNA,
AGED ABOUT 62 YEARS,

...PETITIONERS

(BY SRI. SRIHARI A.V., ADVOCATE)

AND:

1. THE BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD,
KUMARA PARK WEST

Digitally
signed by
HEMALATHA
J
Location:
HIGH COURT
OF
KARNATAKA



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BENGALURU-560 020
REPRESENTED BY ITS COMMISSIONER

2. THE SPECIAL LAND ACQUISITION,
DEPUTY SECRETARY-2
BANGALORE DEVELOPMENT AUTHORITY
T.CHOWDAIAH ROAD, KUMARA PARK WEST,
BENGALURU-560 020

...RESPONDENTS

(BY SRI. POONAM S. PATIL, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO CONSIDER THE REPRESENTATION DATED 07.3.2025 VIDE ANNEXURE-E AND E1 SUBMITTED TO THE RESPONDENT NOS.1 AND 2 AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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 mandamus to direct the respondent Nos.1 and 2 to consider the representation dated 07.03.2025. They have also sought for a direction to the respondents not to interfere with their possession of the property described in the schedule to the writ petition.



2. (i) The petitioners contend that they are the owners of the land in Sy.No.60/4 and 61 situate at Yediyur Village, Uttarahalli Hobli, Bengaluru South Taluk. The erstwhile City Improvement Trust Board (henceforth referred to as 'CITB') notified the lands bearing Sy.No.60/4 measuring 3 acres 9 guntas and Sy.No.61 measuring 2 acres 14 guntas for formation of K.R.Road vide notification dated 27.05.1970. After formation of the road, it was found that 1 acre 13 guntas was utilized out of the total 3 acres 9 guntas of land in Sy.No.60/4. Therefore, a notification dated 24.06.1991 under Section 48(1) of the Land Acquisition Act, 1894 (henceforth referred to as 'the Act, 1894') was issued by the State Government, de-notifying an extent of 1 acre 36 guntas and reconveyed it to the family members of the petitioners.

(ii) The petitioners claim that they are in possession of 1 acre 36 guntas, which is the de-notified portion. However, the petitioners came to know that the respondents had auctioned an area measuring 2,000 square feet on 05.04.2024 and had also executed a sale deed in favour of one Mr.Rajiv Gupta. The petitioners appraised the respondents about the



fact of de-notification of 1 acre 36 guntas in Sy.No.60/4 of Yedyur Village by filing a representation dated 07.03.2025. The petitioners claim that the respondents have not considered the said representations and have not clarified whether the property auctioned lies within the property de-notified. The petitioners are therefore before this Court seeking for a direction to the respondents to consider their representation.

3. During the pendency of this writ petition, this Court directed a physical inspection of the property claimed by the petitioners and the property which was auctioned by the respondents. The respondents have placed on record a report of the inspection which indicates that the property auctioned lies within the acquired portion of 1 acre 13 guntas of land in Sy.No.60/4 and not within 1 acre 36 guntas, which is de-notified from acquisition. The respondents also submit that in view of the report of the inspection submitted before this Court, the apprehension of the petitioners that the site auctioned lies within the denotified portion is without any basis and not justified.



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4. I have considered the submissions of the learned counsel for the petitioners and the learned counsel for the respondents.

5. A perusal of the inspection report submitted by the respondents would categorically establish that what is auctioned lies within the acquired portion of 1 acre 13 guntas land in Sy.No.60/4 and not within 1 acre 36 guntas which is de-notified from acquisition. Under the circumstances, there is no need for issuing any direction to the respondents to consider the representation of the petitioners.

6. In view of the above, the writ petition stands ***disposed of***, holding that the property auctioned by the respondents and conveyed to Mr. Rajiv Gupta does not lie within 1 acre 36 guntas, which is de-notified from acquisition. As Mr. Rajiv Gupta is not arrayed as a respondent, this order will not bind him.

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