



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 34153 OF 2025 (LA-BDA)

BETWEEN:

1. SRI. K. G. RAMACHANDRAIAH
S/O. GANGANNA,
AGED ABOUT 56 YEARS
R/O. NO.179/1, KANIKA LAYOUT,
ANANDASHRAMA, RAMASANDRA,
BANGALORE SOUTH TALUK,
BENGALURU - 560 060

... PETITIONER

(BY SRI. B M HALASWAMY., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REP. BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
M.S. BUILDING,
DR. AMBEDKAR VEEDI,
BENGALURU - 560 001.
2. THE BANGALORE DEVELOPMENT AUTHORITY,
REP. BY ITS COMMISSIONER,
T.CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU - 560 020.

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by VIDYA G R
Location:
HIGH COURT
OF
KARNATAKA



3. SPECIAL LAND ACQUISITION OFFICER,
BANGALORE DEVELOPMENT AUTHORITY,
T.CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU - 560 020.

... RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1;
SRI VASANTHA, ADVOCATE FOR R2 & R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER WRIT OR DIRECTION TO GIVE EFFECT TO THE RESOLUTION DATED 23.11.2010 VIDE SUBJECT NO.382/2010 ANNEXURE - H DIRECTING THE R2 AND R3 TO CONSIDER THE ACKNOWLEDGMENT ANNEXURE-J DATED 04.06.2008 ANNEXURE-K DATED 31.01.2025 IN RESPECT OF THE PROPERTY OF THE PETITIONER AND DELET THE SAME FROM ACQUISITION AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has purchased the Eastern half portion of Revenue Site bearing No.179, Khatha No.160, measuring 20 ft. x 60 ft. situated at Ramasandra Village, Sulikere Grama Panchayath, Kengeri Hobli, Bengaluru. The petitioner is stated to have constructed a residential house. Meanwhile, it is submitted that the respondent



Bangalore Development Authority (BDA) has issued the Preliminary Notification on 21.05.2008 and representation has been filed by the petitioner to delete his property from acquisition. Thereafter, the Final Notification is issued on 18.02.2010.

2. The petitioner submits that insofar as site holders are concerned, certain directions were passed by the Division Bench in Writ Appeal No.1783/2014 [LA-BDA] and connected matters on 22.02.2024, wherein the Division Bench took note of similar plight of site holders. It is submitted that the present petition may be disposed of in terms of the directions passed by the Division Bench.

3. Learned counsel appearing for the respondent BDA submits that the petition may be disposed of in terms of the directions passed in the Writ Appeal, wherein admittedly directions are passed taking note of the interests of site holders. The directions passed in W.A.No.1780/2014 and connected matters insofar as it



relates to site holders are concerned are found in the operative portion of the order, which is extracted hereinbelow:-

- "i) The above appeals filed by the BDA are allowed;*
- ii) The order dated 11.7.2014 passed by the learned Single Judge in WP No.32186/2010 and other connected writ petitions is set aside. The orders passed in writ petitions which are decided placing reliance on the order dated 11.7.2014 passed in WP No.32186/2010 and other connected writ petitions are also set aside;*
- iii) The preliminary notification bearing No.BDA/COMMR/DC(LA)/ALAO/158/2008-2009, Bangalore, dated 21.5.2008 and the final notification bearing No. UDD 51 MNX 2010, Bangalore, dated 18.2.2010 issued for acquisition of lands for the formation of the "Nadaprabhu Kempegowda Layout" are upheld subject to the following conditions:*
 - a) With regard to the land owners (excluding the site owners):*
 - i) All the land owners/writ petitioners who are seeking for dropping of their lands from acquisition on the ground that their lands are (1) nursery lands; (2) situated within green belt; (3) totally built up; (4) that the buildings are constructed by religious/charitable educational institutions; (5) that similar adjoining lands have been either left*



out from acquisition or de-notified, are permitted to make an application to the BDA seeking for dropping of their lands from acquisition by producing all such material that they deem fit/necessary in support of their applications within 3 months from today;

(ii) The BDA shall consider each of the said application/s keeping in mind the status of the lands as on the date of the preliminary notification and without taking into consideration any developments / improvements / constructions made subsequent to the preliminary notification;

iii) The BDA shall complete the exercise of considering the applications of the writ petitioners and deciding on the same within an outer limit of six months from today;

iv) The BDA, upon consideration of the applications shall intimate the writ petitioners about its decision;

v) If the BDA is of the opinion that the acquisition will have to be proceeded with, the BDA is at liberty to proceed further in accordance with law;

b) Insofar as the site owners who have not made an application as contemplated in para (iii)(a) hereinabove:



i) They shall register themselves for allotment under the BDA (Allotment of Sites) Rules, 1984 within three months from today by paying the registration fee. However, payment of initial deposit by them is exempted. The necessary documents along with the said applications are also to be filed to enable the BDA to verify the same;

ii) The BDA shall treat the applicants as being entitled for priority allotment and allot each of them a site measuring 30x40 feet in the Nadaprabhu Kempegowda Layout at the prevailing allotment prices subject to the applicants satisfying the dual requirements of allotment under the Rules that they must be the residents of Bengaluru (for 10 years) and should not be owning any residential property in Bengaluru;

iii) In case the applicants/writ petitioners do not fulfill the requirements for allotment under the Rules, 1984 they may be considered for allotment of 20x30 feet sites as per the Bangalore Development Authority (Incentive Scheme for Voluntary Surrender of Land) Rules, 1989;

c) Insofar as the owners of residential sites who form part of a layout and who have sought for dropping their lands from acquisition in accordance with para (iii)(a) hereinabove, the BDA shall consider the same having regard to the observations made at para 66 hereinabove. If the BDA rejects their applications, the site



owners who have first filed applications pursuant to para (iii)(a) hereinabove, shall be entitled to a further period of one month after the decision as contemplated therein is intimated to opt to and apply in the manner as contemplated in para (iii)(b) hereinabove.

iv) Till the aforesaid exercise directed to be undertaken by the BDA and the applications filed by the writ petitioners, either for allotment of sites or for dropping of the lands from acquisition are considered, their possession shall not be disturbed and the existing construction shall not be demolished.

v) In view of the allowing of the above appeals, pending interlocutory applications, if any, stand disposed of.

No costs."

The direction issued in para-(b) and (c) relate to site holders.

4. Accordingly the petition is ***disposed of*** taking note of the observations made hereinabove and the respondent BDA is to consider the representation stated to be given to respondent BDA, the acknowledgment of which is found at Annexures-'J' and 'K'. The petitioner is also at liberty to give a fresh representation within two weeks



from the date of receipt of certified copy of the order. The respondent BDA is to consider the representation and dispose of the same taking note of the directions passed in W.A.No.1780/2014 and connected matters.

5. In the meanwhile, the respondent BDA shall not take any precipitative steps against the petitioner till the representation of petitioner is duly considered and an order is passed in accordance with law.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

VGR