



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 34253 OF 2025 (LA-UDA)

BETWEEN:

SRI CHANNEGOWDA
S/O. LATE CHANNEGOWDA
AGED ABOUT 50 YEARS
R/AT NO.143, KERAGALLI VILLAGE
JAYAPURA HOBLI, MYSORE TALUK
MYSORE - 570 026.

...PETITIONER

(BY SMT. KUSUMA M., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF HOUSE AND URBAN
M. S. BUILDING, BANGALORE - 560001.
2. MYSORE URBAN DEVELOPMENT AUTHORITY
JHANSI LAKSHMI BAI ROAD
MYSORE - 570 005
BY ITS COMMISSIONER.
3. SPECIAL LAND ACQUISITION OFFICER
MYSORE URBAN DEVELOPMENT AUTHORITY
JHANSI LAKSHMI BAI ROAD
MYSORE - 570 005.

...RESPONDENTS

(BY SRI. HARISHA A. S., AGA FOR R1;
SRI. SACHIN V. R., ADVOCATE FOR R2 & R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF



CERTIORARI OR ANY OTHER SIMILAR WRIT OR ORDER OR DIRECTION, QUASHING PRELIMINARY NOTIFICATION DATED 06.10.1997, BEARING NO.LAQ(1)CR/81/97-98 ISSUED BY THE 3RD RESPONDENT AUTHORITY AT ANNEXURE-A TO THE WRIT PETITION IN SO FAR AS SCHEDULE PROPERTY BELONGING TO THE PETITIONER IS CONCERNED.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

Petitioner has sought for setting aside of the preliminary notification dated 06.10.1997 at Annexure-A and in alternative, has sought for declaring that the land acquisition proceedings initiated pursuant to the preliminary notification dated 06.10.1997 has lapsed.

2. Petitioner claims to be the owner of property measuring 0.25.08 acres in Sy. No. 220/2A of Keragalli Village, Jayapura Hobli, Mysore Taluk and District. It is submitted that the said land falls within the ambit of preliminary notification dated 06.10.1997. It is further submitted that despite such preliminary notification issued on 06.10.1997, till date no action has been taken by the



respondent - Authorities to effectuate acquisition proceedings and take it to a logical end.

3. Reliance is placed on the order passed in W.P.No.10121/2023 in which this Court has set aside the preliminary notification noticing the inaction of the respondent - Authorities to proceed with the acquisition proceedings.

4. The order passed in W.P.No.10121/2023 dated 30.05.2023 reads as follows:

"ORDER

The petitioners have challenged the validity of the Preliminary Notification dated 06.10.1997 issued by respondent No.2 annexed at Annexure-A and in the alternative has sought for declaration that the acquisition proceedings pursuant to the Notification dated 06.10.1997 has lapsed.

2. *It is noticed that the Preliminary Notification under Section 17(1) of the Karnataka Urban Development Authorities Act, 1987 (hereinafter referred to as 'KUDA Act' for the sake of brevity) was passed on 06.10.1997 proposing to acquire certain land at Keragalli Village, Jayapura Hobli, Mysuru Taluk*



and District for the purpose of formation of residential layout known as "Ravindranath Tagore Layout". It is admitted that pursuant to the Preliminary Notification, no further steps have been taken to complete the acquisition process in terms of the statutory scheme as more than 26 years have lapsed since the date of Preliminary Notification. Hence, the petitioners are entitled for relief of declaration as there is lapse of acquisition.

3. Perused the order passed in W.P.No.3876/2022, wherein this Court in an identical context dealing with land in the same Keragalli Village, Jayapura Hobli, Mysuru Taluk and District has quashed the Preliminary Notification. In the light of the undisputed facts that no steps have been taken pursuant to the Preliminary Notification, petitioners are entitled for declaration that the acquisition has lapsed. Accordingly, petition is allowed and consequently, Preliminary Notification bearing No.LAQ (1) CR 81/97-98 dated 06.10.1997 is quashed insofar as petitioners' land is concerned."

5. Taking note of the identical contentions raised in the present matter also, as well as the undisputed fact that the respondent - Authorities have not proceeded to take any steps to effectuate acquisition proceedings, it would be appropriate to declare that the acquisition



proceedings has been abandoned and lapsed insofar as the petitioner's property is concerned as regards pursuant to preliminary notification dated 06.10.1997.

6. Accordingly, the petition is ***allowed***.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

VP