



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 39168 OF 2025 (LA-UDA)

BETWEEN:

MR. KRISHNA
S/O LATE JAVAREGOWDA,
AGED ABOUT 64 YEARS,
R/AT NO.2504, 3RD MAIN, 6TH CROSS,
VINAYAKANAGARA, MYSORE-570012.

...PETITIONER

(BY SRI. KUMARA K. G., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY DEPARTMENT OF
URBAN DEVELOPMENT,
M.S. BUILDING, DR. AMBEDKAR ROAD,
BANGALORE-560 001.
2. THE MYSORE URBAN DEVELOPMENT AUTHORITY,
JANSI LAKSHMIBAI ROAD,
MYSORE 570 005,
REPTD. BY ITS COMMISSIONER.
3. THE SPECIAL LAND ACQUISITION OFFICER,
MYSORE URBAN DEVELOPMENT AUTHORITY,
JANSI LAKSHMIBAI ROAD, MYSORE - 570 005.

...RESPONDENTS

(BY SRI. HARISHA A.S., AGA FOR R1;
SMT. POONAM PATIL, ADVOCATE FOR R2 AND R3)

Digitally
signed by
VIJAYA P
Location:
HIGH COURT
OF
KARNATAKA



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH ISSUED PRELIMINARY NOTIFICATION NO.LAQ(2)CR.161/2005-06 DATED 28.12.2006 (ANNEXURE-B) ISSUED BY RESPONDENT/MUDA AND ETC.,

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

Learned Additional Government Advocate accepts notice for respondent No.1. Learned counsel Smt. Poonam Patil accepts notice for respondents No.2 and 3.

2. The petitioner has sought for issuance of writ of certiorari to set aside the preliminary notification dated 28.12.2006. The premise upon which the petitioner sought for setting aside of the preliminary notification is that though the preliminary notification was passed on 28.12.2006, till date no further proceedings have taken place to effectuate and complete the acquisition process.

3. Learned counsel for the petitioner submits that the acquisition insofar as the same preliminary notification



dated 28.12.2006 issued by the respondent authority was assailed in W.P.Nos.10917-10923/2014 as well as in W.P.No.2649/2015 and in both such petitions, the Court noticing that no final notification has been issued in furtherance of the preliminary notification, has set aside the preliminary notification insofar as lands of the petitioners are concerned. Accordingly, it is submitted that the preliminary notification may be set aside insofar as the petitioner's land is concerned.

4. Learned counsel, Smt. Poonam Patil submits that the orders are matters of record and the Court may pass appropriate orders.

5. Perused the orders passed in W.P.Nos.10917-10923/2014 as well as order passed in W.P.No.2649/2015. The observations made in W.P.No.2649/2015 at paragraphs No.3 and 4 reads as follows:

"3. Admittedly, the final notification has not been issued for acquisition of the lands in question in furtherance of the preliminary



*notification. In an identical case, this Court in **C.G. Gangadhar /vs./ Mysore Urban Development Authority, Mysore and another - 2013(4) Kar.L.J. 559**, has quashed the impugned preliminary notification therein. Following the said decision, this Court in **W.P.Nos.10917-10923/2014** and connected matters (between Sri C.M. Swamy /vs./ Mysore Urban Development Authority, Mysore and another) has quashed the impugned preliminary notification therein.*

4. For the reasons set out in the aforesaid orders, the preliminary notification impugned herein in so far as the petitioners lands are concerned is also quashed. Writ petitions are accordingly allowed. No costs."

6. Taking note that the very same notification is in challenge on the ground that the respondent authority has not taken any steps to effectuate the acquisition, the petition requires to be allowed. The preliminary notification impugned herein insofar as the petitioner's land is concerned, is set aside by observing that it could be construed that the respondent authority, i.e., Mysore



Urban Development Authority (MUDA) has abandoned the acquisition.

Accordingly, petition is ***disposed of***.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

MCR