IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.10396 OF 2022 (LA-KIADB)

BETWEEN:

1. Y.R. SUNIL
   S/o Y. RAJENDRA,
   AGED ABOUT 53 YEARS,

2. Y.R. ANIL
   S/o Y. RAJENDRA,
   AGED ABOUT 49 YEARS,

   BOTH ARE RESIDING AT NO.55,
   11TH CROSS, 1ST STAGE,
   INDIRANAGAR,
   BENGALURU-560 038. …PETITIONERS

(BY SRI NAVEED AHMED, ADVOCATE)

AND:

Digitally signed by MAHALAKSHMI B M
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA,
   REP. BY ITS SECRETARY,
   DEPARTMENT OF INDUSTRIES AND COMMERCE,
   VIDHANA SOUDHA,
   BENGALURU-560 001.

2. THE KARNATAKA INDUSTRIAL
   AREA DEVELOPMENT BOARD,
   REP. BY ITS CHAIRMAN,
   MAHARSHI ARAVINDA BHAVAN,
   NO.14/3, 2ND FLOOR,
   NRUPATHUNGA RAOD,
   BENGALURU-560 001.

3. THE SPECIAL LAND ACQUISITION OFFICER,
KIADB,
MAHARSHI ARAVINDA BHAVAN,
NO.14/3, 2ND FLOOR,
NRUPATHUNGA ROAD,
BENGALURU-560 001. …RESPONDENTS

(BY SRI HARISHA A.S., AGA FOR R-1;
SRI H.L. PRADEEP KUMAR, ADVOCATE FOR R-2 & R-3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE PRELIMINARY NOTIFICATION DATED 14.06.2010 VIDE NO. CI 332 SPQ 2010 BANGALORE, PASSED BY THE RESPONDENT NO.1 BY NOTIFYING THE PETITIONERS LAND AT SL.NO.26 FOR ACQUISITION UNDER SECTION 28(1) OF KIAD ACT VIDE ANNEXURE-D AND ETC.,

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

The petitioners have approached this Court seeking for the following prayers:

> *"a) Issue a Writ of Certiorari by quashing the preliminary notification dated 14/06/2010 vide No. C I 332 SPQ 2010 Bangalore, passed by the Respondent No.1 by notifying the petitioners land at Sl.No.26 for acquisition under section 28(1) of KIADB Act vide Annexure-D.*
>
> *aa) Issue a writ of certiorari by quashing the Final Notification dated 17/11/2020 vide No. CI 155 SPQ (E) 2019, passed by Respondent No.1 by*

notifying the petitioners land at Sl. No.1 for acquisition under Section 28(4) of the KIADB Act vide Annexure-F.

b) Issue a Writ of Mandamus by directing the 2nd respondent to consider the Project approval letter of the petitioners dated 11/01/2012 vide Annexure-E, within a stipulated time.

c) Grant such other reliefs that this Hon'ble Court deems fit to be grant in the facts and circumstances of the case, in the interest of Justice and Equity."

BRIEF FACTS

2. The petitioners claim to be the absolute owners of the land bearing Sy. No. 25/P2/P1, katha No. 60 (M.R.No.16/1992-93), measuring to an extent of 4 acres situated in Chikkahulluru Village, Kasaba Hobli, Hoskote Taluk, Bengaluru Rural District, having purchased the same under the registered sale deed dated 20.10.2005 from one Meera Bai. A preliminary notification dated 14.06.2010 was issued notifying the petitioners land at Sl. No. 26 for acquisition under Section 28(1) of the

Karnataka Industrial Areas Development Act ('KIAD Act') followed by the final notification dated 17.11.2020 under Section 28 (4) of the KIAD Act.

3. It is the contention of the petitioners that as on date no award is passed in respect of the subject land. The petitioners intending to establish warehouses for logistic operations submitted an application to Karnataka Udyoga Mitra ('KUM' for short) for establishment of an unit for warehousing. The Managing Director, KUM, by the letter dated 11.01.2012 approved the project proposal and forwarded the same to KIADB, recommending allotment of 4 acres of land after collection of development and service charges as per the applicable norms.

4. Heard the learned counsel for the petitioners, learned AGA for respondent No.1 and the learned counsel appearing for respondents 2 and 3.

5. Learned counsel for the petitioners contends that despite the project approval and recommendations by

KUM and the State Level Single Window Clearance Committee, the KIADB has not taken any steps either to determine development charges or to consider allotment.

6. Learned counsel appearing for the KIADB submits that the petitioners have not submitted a formal representation/application to the KIADB pursuant to the project approval letter dated 11.01.2012, and that if such an application is made, the same would be considered in accordance with law.

7. Having regard to the submissions made, this Court is of the view that the grievance of the petitioners would stand redressed if an opportunity is granted to them to submit a formal application to KIADB, followed by a time bound consideration by the said authority. Accordingly this Court pass the following :

ORDER

(i) The Writ Petition is ***disposed of.***

(ii) The petitioners are at liberty to submit an application to the respondent No. 2 – KIADB, enclosing the project approval letter dated 11.01.2012 issued by Karnataka Udyoga Mitra seeking allotment of 4 acres of land at Survey No. 71 (Sy. No. 25/P2/P1, Khata No. 60, (MR-16/92-93), Chikkahullur Village, Kasaba Hobli, Hoskote Taluk, Bengaluru Rural District.

(iii) Upon receipt of such application, respondent No. 2 shall consider the same and take appropriate decision regarding allotment of 4 acres of land in the aforesaid survey number, subject to the payment of development and service charges as applicable under the Karnataka Industrial Areas Development Board Regulations, 1969 within a period of six weeks from the date of receipt of the

application and pass appropriate orders in accordance with law.

No opinion is expressed on the merits of the rival claims.

Sd/-

JUSTICE K.S. HEMALEKHA

CKL
List No.: 1 Sl No.: 25