HC-KAR

NC: 2026:KHC:60305
WP No. 5504 of 2026

CNR: KAHC010122492026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 29TH DAY OF OCTOBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE R. NATARAJ**

**WRIT PETITION NO. 5504 OF 2026 (LA-KIADB)**

**BETWEEN:**

1. SRI. PRASHANTH KUMAR
S/O C.RAMU
AGED ABOUT 50 YEARS
RESIDING AT NO.416,
C R RESIDENCY, 3RD CROSS
9TH MAIN, IDEAL HOMES TOWN SHIP
NEAR SUBHASH BHAVAN PARK
RAJARAJESHWARI NAGAR,
BENGALURU-560098

2. SRI. R. NAVEEN KUMAR
S/O C. RAMU
AGED ABOUT 51 YEARS
RESIDING AT NO.416,
C R RESIDENCY, 3RD CROSS
9TH MAIN, IDEAL HOMES TOWN SHIP
NEAR SUBHASH BHAVAN PARK
RAJARAJESHWARI NAGAR,
BENGALURU-560098

Digitally signed by HEMALATHA J
Location: HIGH COURT OF KARNATAKA

...PETITIONERS

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

**AND:**

1. STATE OF KARNATAKA
DEPARTMENT OF COMMERCE AND INDUSTRIES
VIKASA SOUDHA,
BENGALURU-560 001
REPRESENTED BY ITS UNDER SECRETARY

2. KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD
EAST WING, KHANIJA BHAVAN
RACE COURSE ROAD
BENGALURU-560 001
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER

3. SPECIAL LAND ACQUISITION OFFICER
KARNATAKA INDUSTRIAL AREAS DEVELOPMENT BOARD
NO.14/3, 2ND FLOOR
ARAVIND BHAVAN
NRUPATHUNGA ROAD
BENGALURU-5690 001

4. NANDI ECONOMIC CORRIDOR ENTERPRISES LIMITED
OFFICE AT NO.1, MIDFORD HOUSE
MIDFORD GARDENS, OFF M.G.ROAD
BENGALURU-560 001
REPRESENTED BY ITS
MANAGING DIRECTOR

5. NANDI INFRASTRUCTURE CORRIDOR
ENTERPRISE LIMITED
NO.1, MIDFORD HOUSE
MIDFORD GARDENS,
OFF M.G.ROAD
BENGALURU-560001
REPRESENTED BY ITS
AUTHORISED SIGNATORY.

…RESPONDENTS

(BY SRI. RAVINDRA V. REDDY, SPECIAL COUNSEL FOR RESPONDENT NO.1;

SRI. P.V.CHANDRASHEKAR, ADVOCATE FOR RESPONDENT NOS.2 AND 3;

SRI. NITIN PRASAD, ADVOCATE FOR RESPONDENT NO.4;

SRI. S.B.MATHAPATI, ADVOCATE FOR RESPONDENT NO.5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE PRELIMINARY NOTIFICATION DATED 19.12.1998 BEARING NO.CI-

196-SPQ 98 VIDE ANNEXURE-A, ISSUED BY THE FIRST RESPONDENT NOTIFYING THE PETITIONERS' LAND MEASURING 1 ACRE 36 GUNTAS IN SY. NO.54/2 (OLD SY.NO.54) OF THALAGUPPE VILLAGE, BIDADI-2 HOBLI, RAMANAGARA-BANGALORE SOUTH TALUK AS THE ACQUISITION PROCEEDINGS HAVE BEEN ABANDONED, LAPSED AND NULL AND VOID 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 R. NATARAJ

**ORAL ORDER**

The petitioners have called in question the preliminary notification bearing No.CI:196:SPQ:98 dated 19.12.1998 issued by the respondent No.1 under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966 (henceforth referred to as 'the KIAD Act') and to declare that the acquisition proceedings initiated by the respondents in respect of the land bearing Sy.No.54/2 (Old Sy.No.54) measuring 1 acre 36 guntas, situate at Thalaguppe village, Bidadi-2 Hobli, Ramanagara Taluk, Bengaluru Rural District (land in question) have lapsed.

2. The petitioners claim that they are the absolute owners and are in peaceful possession and enjoyment of the

land in question, having inherited the same after the death of their father. They claim that the respondent No.1 had issued a notification under Section 28(1) of the KIAD Act on 19.12.1998, proposing to acquire several lands including the land in question. The petitioners contends that even after 27 years, the respondents did not issue any final notification under Section 28(4) of the KIAD Act. They contend that the respondents have thus abandoned the acquisition. They contend that similarly placed landlosers had approached this Court in various Writ Petitions and that this Court in W.P.Nos.15416/2023, 12078/2025 and 8400/2021 quashed the preliminary notification. They therefore challenged the preliminary notification and sought for a declaration that the acquisition has lapsed.

3. Learned counsel for the petitioners reiterated the aforesaid contentions and submitted that after issuance of a preliminary notification, the respondent No.1 has not taken any steps to issue a final notification and therefore, the petitioners cannot be kept waiting endlessly. He therefore submits that the acquisition has lapsed and prays for a declaration to that effect.

4. The learned counsel for the respondent No.1 and the learned counsel for respondent Nos.2 and 3 do not dispute the fact that after issuance of a preliminary notification no steps are taken to issue a final notification. They also do not dispute that similar questions of fact and law arose for consideration in W.P.Nos.15416/2023, 12078/2025 and 8400/2021 and that this Court had quashed the preliminary notification and allowed the landlosers to utilize their land.

5. The learned counsel for respondent No.4 and the learned counsel for respondent No.5 on the other hand contended that the delay in issuing the final notification is only attributable to the respondent Nos.1 and 2 and therefore liberty be reserved to respondent Nos.4 and 5 to take necessary action against the respondent Nos.1 and 2.

6. I have considered the submissions of the learned counsel for the petitioners as well as learned counsel for the respondent No.1, learned counsel for respondent Nos.2 and 3 and learned counsel for respondent No.4 as well as the learned counsel for respondent No.5.

7. It is not in dispute that after a preliminary notification dated 19.12.1998 issued by the respondent No.1 under Section 28(1) of the KIAD Act, no steps are taken to issue a final notification. As rightly contended by the learned counsel for the petitioners, the petitioners cannot be kept waiting endlessly and they cannot be deprived of the use of their land for whatever purpose that they intend to. Therefore, the proposal to acquire the land of the petitioners has remained a proposal and the acquisition has not been concluded. Consequently, the petitioners are entitled to utilize their land for whatever purpose that they desire.

8. In view of the above, the following order is passed:

**ORDER**

i. The petition is ***allowed***;

ii. The impugned preliminary notification bearing No.CI:196:SPQ:98 dated 19.12.1998 issued by the respondent No.1, in respect of the land bearing Sy.No.54/2 (Old Sy.No.54) measuring 1 acre 36 guntas, situate at Thalaguppe village,

Bidadi-2 Hobli, Ramanagara Taluk, Bengaluru Rural District, is quashed;

iii. It is also declared that the proposal to acquire the aforesaid land has lapsed. Consequently, any entry of the name of the respondent No.1 or the respondent No.2 in the revenue records of the aforesaid land shall stand deleted and the names of the petitioners shall stand restored forthwith;

iv. The respondent Nos.4 and 5 is at liberty to proceed against the respondent No.1 and 2 for not taking out necessary steps to conclude the acquisition.

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

PMR
List No.: 1 Sl No.: 85