HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 9765 OF 2023 (LA-RES)

BETWEEN:

SRI VASANTHA KUMAR,
S/O VENKATASHYAMAPPA,
AGED ABOUT 47 YEARS,
AGRICULTURIST,
R/AT VISHWANATHAPURA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT 562110.

...PETITIONER

(BY SRI. MANJUNATHA P., ADVOCATE)

AND:

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

1. SPECIAL LAND ACQUISITION OFFICER,
N.H.A.I., KUNIGAL N.H-207(HOSAKOTE),
DABASPETE DIVISION,
NELAMANGALA 562111.

2. THE PROJECT DIRECTOR AND PIO,
N.H.A.I,
PROJECT IMPLEMENTATION UNIT,
SY NO.13, 14TH KM, NAGASANDRA,
BANGALORE-TUMKUR ROAD,
BANGALORE 560073.

...RESPONDENTS

(BY SMT. SHILPA GHANSHYAMBHAI SHAH, ADVOCATE FOR R1 AND R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE ANNX-G DRAWILNG NO.20048-RD-PS-RA1-01 DTD NIL MARCH 2022 PREPARED BY THE RESPONDENT IN RESPECT OF REST AREA IN BETWEEN KM 90.00 TO KM 95.00 NATIONAL HIGHWAY NO.207 OF VISHWAMATHPURA VILLAGE KUNDANA HOBLI DEVANAHALLI ONLY PERTAINING TO BOUNDARY COMPOUND WALL. DIRECTING THE R-1 CONSIDER ANNX-D DTD 14.02.2019 AND R-2 TO CONSIDER ANNX-F DTD 18.10.2022 FOR PROVIDING THE RING ROAD AROUND THE REST AREA IN BETWEEN KM 90.00 TO KM 95.00 AT NATIONAL HIGHWAY NO.207 VISHWANTATHAPURA VILLAGE KUNDADA HOBLI, DEVANAHALLI TALUK, BANGALORE RURAL DIST. ISSUE DIRECTION TO THE R-1 AND R-2 TO PROVIDE ROAD FOR INGRESS AND ENGRESS TO THE PETITIONER LAND BEARING SY NO.104/2 THROUGH THE REST AREA IN BETWEEN KM 90.00 TO KM 95.00 OF NH 207 SITUATED AT VISHWANATHAPUR VILLAGE KUNDANA HOBLI DEVANAHALLI TALUK BANGALORE RURAL DIST WITHOUT PUTTING COMPOUND OR FENCING.

THIS PETITION, COMING ON FOR FRESH MATTERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

The present petition has been filed seeking for a writ of certiorari to quash the drawing prepared in respect of the "rest area" at kms.46.450 to kms.46.750 of NH-648 at Vishwanathapura Village. The dispute is raised regarding the construction of compound wall to be built by the beneficiary. Further, relief is sought for issuance of writ in the nature of mandamus to consider the representations of the petitioner and

to provide access around the rest area with further direction to provide ingress and egress to the lands of the petitioner in Survey No.104/2 through the area that is now acquired which is sought to be enclosed by a boundary wall. During the course of the proceedings, both sides have made efforts for amicable resolution of dispute and accordingly joint memo is filed by the petitioner and respondent No.2.

2. The joint memo filed reads as hereunder:

1. The top noted petition has been filed seeking a Writ of Certiorari for quashing the drawing prepared in respect of the rest area at Kms.46.450 to Kms.46.750 of NH-648 (Old NH-207) at Vishwanathapura village pertaining to the boundary compound wall along with a Writ of Mandamus to consider the representations of the petitioner to prove ring road around the rest area and a direction to provide ingress and egress to the lands of the petitioner in Sy.No.104/2 through the rest area and other relief/s.

2. The petitioner and the respondents keeping the paramount interest of the public at large and considering the importance of the

implementation of Way side amenities on the stretch of NH-648 (Old NH-207) have mutually decided to settle the dispute amiably. In this regard, the petitioner and respondents have discussed the issue of providing suitable width along the periphery of Way side amenities situated at Kms.46.450 to Kms.46.750 of NH-648 (Old NH-207) at Vishwanathapura Village.

3. *In order to facilitate movement of agricultural tractor and trailer of the land owners and other vehicles for agricultural purpose, it is mutually agreed that the 2nd respondent would make necessary arrangements for shifting the boundary compound wall inside by providing a width of 10 feet on all three sides of the Way side amenities along with due chamfer at the corners/edges for easy movement of agricultural vehicles as per the sketch annexed.*

4. *It is agreed that the lands left for the access along the periphery of Way side amenities, as agreed under this Joint Memo shall remain property of the Central Government and no one else shall have any legal right or ownership on the said lands. It is also agreed that such lands shall not be used by the petitioner or anyone else on her behalf for any other*

purpose except for the limited purpose specified herein and will not be encroached upon in any manner."

3. The copy of the sketch is enclosed along with the joint memo, which reflects the settlement insofar as the dispute between the parties.

4. In light of an amicable resolution of the dispute in terms of the joint memo, the matter does not call for adjudication and is disposed of recording terms of the joint memo.

5. Accordingly, the petition is disposed of.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

MD
List No.: 1 Sl No.: 1