HC-KAR

NC: 2026:KHC:61916
WP NO.26881 OF 2026

CNR: KAHC010584832026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S. INDIRESH

WRIT PETITION NO.26881 OF 2026 (KLR-REG)

BETWEEN:

SRI. NARASIMHAGOWDA M.N.
S/O LATE K. NARAYANASWAMY,
AGED ABOUT 54 YEARS,
R/AT MALAMACHANAHALLI VILLAGE,
JANGAMAKOTE HOBLI,
SIDLAGHATTA TALUK,
CHIKKABALLAPURA DISTRICT - 562 102.

...PETITIONER

(BY SRI. RAMESH K.R., ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REP. BY ITS SECRETARY,
   DEPARTMENT OF REVENUE,
   VIDHANA SOUDHA,
   BENGALURU - 560 001.

2. THE DEPUTY COMMISSIONER
   CHIKKABALLAPUR DISTRICT,
   CHIKKABALLAPUR- 562 101.

3. THE ASSISTANT COMMISSIONER
   CHIKKABALLAPUR DIVISION,
   CHIKKABALLAPUR - 562 101.

4. THE TAHASILDAR,
   SHIDLAGHATTA TALUK,
   SHIDLAGHATTA - 562 105.

Digitally signed by CHAYA S A
Location: HIGH COURT OF KARNATAKA

5. THE COMMITTEE FOR REGULARIZATION OF
UNAUTHORIZED CULTIVATION
SHIDLAGHATTA TALUK,
CHIKKABALLAPUR DISTRICT - 562 105.
REP. BY ITS SECRETARY/TAHSILDAR,
SHIDLAGHATTA TALUK.

6. KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD
NO.14/3, MAHARSHI ARVINDA BHAVAN,
1ST FLOOR, NRUPATHUNGA LAYOUT,
BENGALURU - 560 001.
REP. BY ITS MANAGING DIRECTOR.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 TO R5;
SRI. P.V. CHANDRASHEKAR, ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENTS 4 AND 5 TO CONSIDER THE APPLICATION SUBMITTED BY THE PETITIONER AS PER ACKNOWLEDGEMENT AT ANNEXURE-B, SEEKING REGULARIZATION OF THE UNAUTHORIZED CULTIVATION OF 4 ACRE 20 GUNTAS OF LAND IN SURVEY NO.68 OF NADAPINAYANAKANAHALLI VILLAGE, JANGAMAKOTE HOBLI, SHIDLAGHATTA TALUK, CHIKKABALLAPUR DISTRICT AND TO PASS APPROPRIATE ORDERS IN ACCORDANCE WITH LAW WITHIN A TIME FRAME; 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 E.S. INDIRESH

ORAL ORDER

In this writ petition, the petitioner has sought for a direction to the respondents 4 and 5 to consider the application made by the petitioner for regularization of unauthorized

occupation in respect of land measuring to an extent of 4 acre 20 guntas in Survey No.68 of Nadapanayakanahalli Village, Jangamakote Hobli, Shidlaghatta Taluk, Chikkaballapur District.

2. Heard Sri. Ramesh K.R., learned counsel appearing for the petitioner; Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents 1 to 5; Sri. P.V. Chandrashekar, learned counsel appearing for the respondent No.6.

3. Sri. Ramesh K.R., learned counsel appearing for the petitioner contended that the petitioner is in cultivation of the subject land for more than fifteen years and the respondent-Government acquired the same under Section 28(4) Karnataka Industrial Areas Development Act, 1966 as per Notification dated 24th February, 2026 (Annexure-C). Therefore, learned counsel appearing for the petitioner argued that the application filed by the petitioner seeking regularisation of the subject land has to be considered.

4. In this regard, learned counsel appearing for petitioner referred to order dated 15th January, 2025 (Annexure-D) passed by this Court in Writ Petition

No.35390/2024 and contended that the respondent-Government be directed to consider the application made by the petitioner for regularisation.

5. Per contra, Sri. P.V. Chandrashekar, learned counsel appearing of the respondent-KIADB refers to the acquisition Notification dated 24th February, 2026 (Annexure-C) issued by the Government and submits that the subject land is belonged to the Government. Accordingly, he sought for dismissal of the petition.

6. Sri. Aditya Diwakara, learned Additional Government Advocate submits that the petitioner has no legal right to seek regularisation of the subject land as the same is belonged to the Government.

7. In the light of submission made by learned counsel appearing for the parties, on perusal of the averments made in the writ petition, is forthcoming that the petitioner is seeking direction to the respondent-Authorities to consider the application filed by him seeking regularisation of the subject land. Perusal of the writ papers would indicate that the subject land has been acquired by the Government for the benefit of

respondent No.6-KIADB. Therefore, land is vested with the Government, since the subject land has been acquired for the public purpose and further the petitioner has no legal right to claim consideration of his application in view of the judgment of this Court in the case of ***SMT. MUNIYAMMA AND OTHERS vs. STATE OF KARNATAKA AND OTHERS*** reported in *(2011) 1 Kant LJ 232*, wherein it is held that the this Court cannot issue writ of mandamus for consideration of the application made by the unauthorized occupant, if the land has been acquired by the State for the Public purpose. Therefore, the judgment of this Court passed in Writ Petition No.35390/2024 referred to by learned counsel appearing for the petitioner cannot be accepted. Accordingly, writ petition is ***dismissed.***

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 68