HC-KAR

NC: 2026:KHC:60306
WP No. 27311 of 2026

CNR: KAHC010599902026

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. 27311 OF 2026 (LA-KIADB)

BETWEEN:

SMT. VIDYANAGENDRA
W/O LATE H.P.NAGENDRA
AGED ABOUT 59 YEARS
RESIDING AT NO.1161
1ST CROSS ROAD,
ASHOKANAGARA,
MANDYA-571 401

...PETITIONER

(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-560 001

Digitally signed by HEMALATHA J
Location: HIGH COURT OF KARNATAKA

4. NANDI ECONOMIC CORRIDOR ENTERPRISES LIMITED
PRIVATE COMPANY, REGISTERED UNDER
COMPANIES ACT
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
PRIVATE COMPANY, REGISTERED UNDER
COMPANIES ACT
NO.1, MIDFORD HOUSE
MIDFORD GARDENS,
OFF M.G.ROAD
BENGALURU-560001
REPRESENTED BY ITS AUTHORISED SIGNATORY.

…RESPONDENTS

(BY SRI. H.L.PRADEEP KUMAR, ADVOCATE FOR RESPONDENT NO.1;
SRI. T. SOMASHEKAR, ADVOCATE FOR RESPONDENT NOS.2 AND 3;
SRI. NITIN PRASAD, ADVOCATE FOR RESPONDENT NOS.4 AND 5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE PRELIMINARY NOTIFICATION DATED 02.06.1999 BEARING NO.CI 196 SPQ 98 VIDE ANNEXURE-A AND THE PRELIMINARY NOTIFICATION DATED 30.03.2004 BEARING NO.CI 196 SPQ 98 (PART-III) VIDE ANNEXURE-B, ISSUED BY THE FIRST RESPONDENT NOTIFYING THE PETITIONER'S LANDS MEASURING 25 GUNTAS IN SY. NO.23/2 AND 35 GUNTAS IN SY.NO.23/3 TOTALLY 1 ACRE 20 GUNTAS SITUATED AT MALLASANDRA VILLAGE, UTTARAHALLI HOBLI, BENGALURU 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 petitioner has called in question the preliminary notifications bearing No.CI:196:SPQ:98 dated 02.06.1999 and bearing No.CI:196:SPQ:98 dated 30.03.2004 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.Nos.23/2, measuring 25 guntas and Sy.No.23/3 measuring 35 guntas, totally measuring 1 acre 20 guntas, situate at Mallasandra village, Uttarahalli Hobli, Bengaluru South Taluk (land in question) have lapsed.

2. The petitioner claims that she is the absolute owner and is in peaceful possession and enjoyment of the land in question, having inherited the same after the death of her husband, who purchased it in terms of a registered sale deed

dated 22.11.2004 from Sri. R. Mayanna and his family members. She claims that the respondent No.1 had issued notifications under Section 28(1) of the KIAD Act on 02.06.1999 and 30.03.2004, proposing to acquire several lands including the land in question. The petitioner contends that even after 27 years, the respondents did not issue any final notification under Section 28(4) of the KIAD Act. She contends that the respondents have thus abandoned the acquisition. She contends that similarly placed landlosers had approached this Court in various Writ Petitions and that this Court in W.P.Nos.30353/2015 and 17023/2025 quashed the preliminary notification. She therefore challenged the preliminary notifications and sought for a declaration that the acquisition has lapsed.

3. Learned counsel for the petitioner reiterated the aforesaid contentions and submitted that after issuance of preliminary notifications, the respondent No.1 has not taken any steps to issue a final notification and therefore, the petitioner 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 preliminary notifications 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.30353/2015 and 17023/2025 and that this Court had quashed the preliminary notification and allowed the landlosers to utilize their land.

5. The learned counsel for respondent Nos.4 and 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 petitioner as well as learned counsel for the respondent No.1, learned counsel for respondent Nos.2 and 3 and learned counsel for respondent Nos.4 and 5.

7. It is not in dispute that after preliminary notifications dated 02.06.1999 and 30.03.2004 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 petitioner, the petitioner cannot be kept waiting endlessly and she cannot be deprived of the use of her land for whatever purpose that she intends to. Therefore, the proposal to acquire the land of the petitioner has remained a proposal and the acquisition has not been concluded. Consequently, the petitioner is entitled to utilize her land for whatever purpose that she desires.

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

ORDER

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

ii. The impugned preliminary notifications bearing No. CI:196:SPQ:98 dated 02.06.1999 and bearing No.CI:196:SPQ:98 dated 30.03.2004 issued by the respondent No.1, in respect of the land bearing Sy.Nos.23/2, measuring 25 guntas and

Sy.No.23/3 measuring 35 guntas, totally measuring 1 acre 20 guntas, situate at Mallasandra village, Uttarahalli Hobli, Bengaluru South Taluk, are 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 name of the petitioner 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.: 88