HC-KAR
NC: 2026:KHC:61360
WP No. 32171 of 2026
CNR: KAHC010704062026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 32171 OF 2026 (LA-KIADB)

BETWEEN:

SRI. SURESH H S
S/O SHIVALINGEGOWDA
AGED ABOUT 36 YEARS
RESIDING AT NO.10, 2ND CROSS
K.G.GARDEN, NEAR MARS MOUNT
50 FEET ROAD, BSK 3RD STAGE
BENGALURU-560085.

...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

Digitally signed by HEMALATHA J
Location: HIGH COURT OF KARNATAKA

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.B.J.ESHWARAPPA, AGA FOR R1;
SRI.P.V.CHANDRASHEKAR, ADVOCATE FOR R2 AND R3;
SRI.NITIN PRASAD, ADVOCATE FOR R4 AND R5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE PRELIMINARY NOTIFICATION DATED 21.07.1999 BEARING NO. CI 196 SPQ 98 VIDE ANNEXURE-A ISSUED BY THE RESPONDENT NOTIFYING THE PETITIONER'S LAND MEASURING 1 ACRE 36 ½ GUNTAS IN SY.NO.28/3 (OLD NO.28/2) SITUATED AT KURUVARA KARENAHALLI VILLAGE, BIDADI HOBLI, RAMANAGARA TALUK, RAMANAGARA DISTRICT (NOW BENGALURU SOUTH DISTRICT) AS THE RESPONDENTS HAVE NOT ISSUED FINAL NOTIFICATION AND AS

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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 notification bearing No.CI 196 SPQ 98 dated 21.07.1999 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 the acquisition proceedings initiated by the respondents in respect of the land bearing Sy.No.28/3 (old Sy.No.28/2) measuring 1 acre 36 ½ guntas, situate at Kurubara Karehalli, Bidadi Hobli, Ramanagara Taluk, Ramanagara District (now Bengaluru South District) as the respondents have not issued final notification and as the acquisition proceedings have abandoned, lapsed and null and void. He has also sought for a writ in the nature of mandamus to direct the respondents not to interfere with the petitioner's peaceful possession and enjoyment of the schedule property.

2. (i) The petitioner claims to be the absolute owner of the land bearing Sy.No.28/3 (old Sy.No.28/2) measuring 1 acre 36 ½ guntas, situate at Kurubara Karehalli Village, Bidadi Hobli, Ramanagara Taluk, Ramanagara District (now Bengaluru South District). The schedule property was originally owned by Sri.K.V.Ramakrishnaiah, who is the notified khatedar. Thereafter, Sri.K.V.Ramakrishaniah has sold the land in question in favour of Smt.Sumiya Ahmed under a registered sale deed dated 23.06.2005, who in turn sold the same in favour of Sri.B.N.Sathyanarayana on 08.01.2014. After the demise of said B.N.Sathyanarayana, his wife Smt.Indira G., has sold the land in question to the petitioner through a registered sale deed dated 29.09.2023.

(ii) He claims that the respondent No.1 had issued a notification bearing No.CI 196 SPQ 98 dated 21.07.1999 under Section 28(1) of the KIAD Act. He contends that even after 27 years the respondents did not issue any final notification under Section 28(4) of the KIAD Act. He contends that the schedule property was notified for the benefit of respondent Nos.4 and 5 herein, but delay in issuing a final notification has cast a cloud

on his title over the land in question. He contends that the respondents have thus abandoned the acquisition. He contends that similarly placed land losers had approached this Court in various writ petitions and that this Court in W.P.Nos.30353/2015 and 3967/2026 quashed the preliminary notification. The petitioner has therefore challenged the preliminary notification and has also sought for a declaration that the acquisition has lapsed.

3. Learned counsel for the petitioner reiterated the above submissions and submitted that after issuance of a preliminary notification, the respondent No.1 has not taken any steps to issue the 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. Learned counsel for the respondent Nos.2 and 3 does not dispute the fact that after issuance of a preliminary notification no steps are taken to issue a final notification. He also does not dispute that similar questions of fact and law arose for consideration in W.P.Nos.30353/2015 and 3967/2026

and that this Court had quashed the preliminary notification and allowed the land losers 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 and learned counsel for the respondent Nos.2 and 3 as well as the learned counsel for the respondent Nos.4 and 5.

7. It is not in dispute that after a preliminary notification dated 21.07.1999 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 he cannot be deprived of the use of his land for whatever purpose that he 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 his land for whatever purpose that he desires.

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

ORDER

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

ii. The impugned preliminary notification bearing No.CI 196 SPQ 98 dated 21.07.1999 issued by the respondent No.1, in respect of the property bearing Sy.No.28/3 (old Sy.No.28/2) measuring 1 acre 36 ½ guntas, situate at Kurubara Karehalli, Bidadi Hobli, Ramanagara Taluk, Ramanagara District (now Bengaluru South 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 name of the petitioner shall stand restored forthwith;

iv. The respondent Nos.4 and 5 are 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

BKN
List No.: 1 Sl No.: 119