HC-KAR
NC: 2026:KHC:61628
WP No. 32774 of 2026
CNR: KAHC010711402026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 32774 OF 2026 (LA-KIADB)

BETWEEN:

SRI GOUTHAM CHAND D
S/O LATE. DHANARAJ. T,
AGED ABOUT 60 YEARS,
NO.121, CHAMARAJPET, MYSURU ROAD CIRCLE,
NALANDA TALKIES, BENGALURU-560018.

...PETITIONER

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

AND:

1. STATE OF KARNATAKA
REP., BY IT'S UNDER SECRETARY,
DEPARTMENT OF INDUSTRIES AND COMMERCE,
M. S BUILDING, DR.B.R.AMBEDKAR VEEDHI,
BENGALURU - 560 001.

2. THE KARNATAKA INDUSTRIAL
AREA DEVELOPMENT BOARD,
REP., BY IT'S CHIEF EXECUTIVE OFFICER,
NO. 2, KALIDASA MARG,
GANDHINAGAR, BENGALURU - 560009.

3. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BORD, REGIONAL OFFICE MYSURU,
MYSURU DISTRICT - 570016.

...RESPONDENTS

(BY SRI.B.J.ESHWARAPPA, AGA FOR R1;
SRI.VASANTHA, ADVOCATE FOR R2 AND R3)

Digitally signed by HEMALATHA J
Location: HIGH COURT OF KARNATAKA

CNR: KAHC010711402026

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE PRELIMINARY NOTIFICATION BEARING NO.CI 737 SPQ 2007 DATED 04.04.2008 ISSUED BY THE RESPONDENT NO.1 VIDE ANNEXURE - A, PUBLISHED UNDER SECTION 28(1) OF THE KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD ACT., 1966 FOR THE PURPOSE OF "UPGRADING THE MYSURU AIRPORT" IN RESPECT OF THE PETITIONER LAND BEARING SY.NO.83/1 (NEW 83/5) MEASURING 28 GUNTAS AND LAND BEARING SY.NO.83/4, MEASURING 12 GUNTAS, BOTH THE LANDS HAVE BEEN SITUATED AT HADAJANA VILLAGE, VARUNA HOBLI, MYSURU TALUK AND DISTRICT. (SL.NO.2 AND 5 IN THE PRELIMINARY NOTIFICATION), IN TERMS OF ORDER IN WRIT PETITION NO.20393/2026 DATED 02/09/2026 VIDE ANNEXURE- F.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has called in question a preliminary notification bearing No.CI 737 SPQ 2007 dated 04.04.2008 issued by respondent No.1 under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966 (henceforth referred to as 'the KIAD Act') in respect of land bearing Sy.No.83/1 (new Sy.No.83/5) measuring 28 guntas and land bearing Sy.No.83/4 measuring 12 guntas, both situate at Hadajana Village, Varuna Hobli, Mysuru Taluk and District (henceforth referred to as 'subject land').

2. The petitioner claims that he is the owner of the subject land. He contends that he purchased the subject land from Lingegowda and his family members in terms of sale deed dated 23.04.2007. The petitioner contends that respondent No.1 issued preliminary notification dated 04.04.2008 under Section 28(1) of KIAD Act, proposing to acquire the subject land for 'upgrading the Mysuru Airport' by showing the names of his vendors as the notified khatedars. He contends that he had no knowledge of issuance of the preliminary notification and pursued cultivation of seasonal crops in the schedule land. Thereafter, when he approached the revenue authorities for the conversion of the schedule land, he came to know the impugned preliminary notification. Thereafter, he approached the respondent No.3, who issued an endorsement on 17.02.2024, confirming the issuance of preliminary notification on 04.04.2008 and that no final notification was issued so far. The petitioner contends that respondent No.1 has not taken any steps to issue a final notification and therefore prays that the preliminary notification be set at nought by issuing appropriate direction to the respondents.

3. The learned counsel for the petitioner reiterated the above submissions and submitted that the impugned preliminary notification has spent in itself and even after lapse of 18 years, respondents have not taken any steps to issue final notification. He further submits that this petition is squarely covered by the judgment passed by this Court in W.P.No.20393/2026 and prays to quash the preliminary notification in respect of the subject land.

4. Learned counsel for the respondent Nos.2 and 3 does not dispute the endorsement dated 17.02.2024, issued by respondent No.3. He also does not dispute that this petition is squarely covered by the judgment of this Court in W.P.No.20393/2026.

5. I have considered the submissions of the learned counsel for the petitioner and the learned counsel for respondent Nos.2 and 3.

6. On perusal of the endorsement dated 17.02.2024, it is clear that though a preliminary notification was issued, a final notification is not issued in respect of the subject land. Hence,

the proposal to acquire the subject land has remained tentative, which is not acted upon by respondent No.1. Therefore, the existence of the preliminary notification in the records of respondent No.1 would only cast a cloud on the title of the petitioner in respect of the subject land.

7. In that view of the matter, the following order is passed:

ORDER

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

ii. The impugned preliminary notification bearing No.CI 737 SPQ 2007 dated 04.04.2008 issued by respondent No.1 in respect of the land bearing Sy.No.83/1 (new Sy.No.83/5) measuring 28 guntas and land bearing Sy.No.83/4 measuring 12 guntas, both situate at Hadajana Village, Varuna Hobli, Mysuru Taluk and District, belonging to the petitioner, is hereby quashed;

iii. If the name of respondent No.1 or respondent No.2 is entered in the revenue records of the land

in Sy.Nos.83/1 (new Sy.No.83/5) and 83/4 of Hadajana Village, Varuna Hobli, Mysuru Taluk and District, the same shall stand deleted and the name of the petitioner shall stand restored forthwith;

iv. In view of disposal of the petition, pending interlocutory applications if any, do not survive for consideration and the same stand disposed accordingly.

Learned Additional Government Advocate for respondent No.1 and Sri.Vasantha, learned counsel for respondent Nos.2 and 3 are permitted to file memo of appearance within ten days.

Sd/-
(R. NATARAJ)
JUDGE

BKN
List No.: 1 Sl No.: 27