HC-KAR
NC: 2026:KHC:61361
WP No. 32524 of 2026
*C/W WP No. 32558 of 2026*
CNR: KAHC010712882026

**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. 32524 OF 2026 (LA-KIADB)**

**C/W**

**WRIT PETITION NO. 32558 OF 2026 (LA-KIADB)**

**IN WP No. 32524/2026**

**BETWEEN:**

S SHILPA
D/O.C.SHARATHKUMAR,
W/O.SHYLESH.M.P.,
AGED ABOUT 37 YEARS,
NO.106, SHIVARUPA,
YELLAMMA TEMPLE STREET,
ANNASANDRAPALYA, BENGALURU -560017

...PETITIONER

(BY SRI. KUSUMA M., ADVOCATE)

**AND:**

Digitally signed by HEMALATHA J
Location: HIGH COURT OF KARNATAKA

1. STATE OF KARNATAKA
   REPRESENTED BY ITS SECRETARY,
   DEPARTMENT OF COMMERCE AND INDUSTRIES,
   VIKASA SOUDHA, M.S. BUILDING,
   BANGALORE - 560001.

2. THE KARNATAKA INDUSTRIAL AREA
   DEVELOPMENT BOARD,
   NO.14/3, RASTROTHANA BUILDING,
   NEAR RESERVE BANK, NRUPATHUNGA ROAD,
   BENGALURU -560 001.
   REP. BY ITS DEPUTY COMMISSIONER,

3. THE SPECIAL LAND ACQUISITION OFFICER,
   KARNATAKA INDUSTRIAL AREA
   DEVELOPMENT BOARD(KIADB)

(BMICP), 1ST FLOOR,
MAHARSHI ARAVIND BHAVAN,
NRUPATHUNGA ROAD, BENGALURU 560 001.

4. NANDI INFRASTRUCTURE
CORRIDOR ENTERPRISE(NICE),
A COMPANY REGISTER UNDER COMPANIES ACT 1956,
NO.01, MIDFORD HOUSE,
MIDFORD GARDENS, OFF M.G.ROAD,
BENGALURU -560 001.
REP. BY ITS MANAGING DIRECTOR,

…RESPONDENTS

(BY SRI.HL.PRADEEP KUMAR, ADVOCATE FOR R1;
SRI.P.V.CHANDRASHEKAR, ADVOCATE R2 AND R3;
SRI.NITIN PRASAD, ADVOCATE FOR R.4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING PRELIMINARY NOTIFICATION DATED:03.07.1999 BEARING NO:CI 196 SPQ 98 ISSUED BY THE 1ST RESPONDENT AUTHORITY AT ANNEXURE - A TO THE WRIT PETITION IN SO FAR AS SCHEDULE PROPERTY BELONGING TO THE PETITIONER IS CONCERNED AND ETC.

**IN WP NO. 32558/2026**

**BETWEEN:**

1. S. RAJESHWARI
W/O.C.SHARATHKUMAR,
AGED ABOUT 70 YEARS,
NO.2737, 3RD MAIN, 8TH CROSS,
V.V.MOHALLA, MYSORE- 570002,

...PETITIONER

(BY SRI. KUSUMA M., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF COMMERCE AND INDUSTRIES,

VIKASA SOUDHA, M.S. BUILDING,
BANGALORE - 560001.

2. THE KARNATAKA INDUSTRIAL AREA
DEVELOPMENT BOARD,
NO.14/3, RASTROTHANA BUILDING,
NEAR RESERVE BANK,
NRUPATHUNGA ROAD, BENGALURU -560 001.
REP. BY ITS DEPUTY COMMISSIONER,

3. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD(KIADB) (BMICP), 1ST FLOOR,
MAHARSHI ARAVIND BHAVAN,
NRUPATHUNGA ROAD, BENGALURU 560 001.

4. NANDI INFRASTRUCTURE
CORRIDOR ENTERPRISE (NICE)
A COMPANY REGISTER UNDER COMPANIES ACT 1956
NO. 01, MIDFORD HOUSE,
MIDFORD GARDENS, OFF M. G ROAD
BENGALURU - 560001
REP. BY ITS MANAGING DIRECTOR

...RESPONDENTS

(BY SRI.H.L.PRADEEP KUMAR, ADVOCATE FOR R1;
SRI.P.V.CHANDRASHEKAR, ADVOCATE R2 AND R3;
SRI.NITIN PRASAD, ADVOCATE FOR R.4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER SIMILAR WRIT OR ORDER OR DIRECTION, QUASHING PRELIMINARY NOTIFICATION DATED:03.07.1999 BEARING NO.C1 196 SPQ 98 ISSUED BY THE 1ST RESPONDENT AUTHORITY AT ANNEXURE - A TO THE WRIT PETITION IN SO FAR AS SCHEDULE PROPERTY BELONGING TO THE PETITIONER IS CONCERNED.

THESE PETITIONS, 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 petitioners in these writ petitions have called in question the preliminary notification bearing No.CI 196 SPQ 98 dated 03.07.1999, issued by respondent No.1 under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966 (hereinafter referred to as the 'KIAD Act'), and have sought a declaration that the acquisition proceedings initiated by the respondents in respect of the schedule lands have lapsed by virtue of the enforcement of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. The petitioner in W.P.No.32524/2026 claims to be the absolute owner of the land bearing Sy.No.4 (New Sy.No.287), measuring 4 acres and the petitioner in W.P.No.32558/2026 is the absolute owner of land bearing Sy.No.4 (New Sy.No.288), measuring 4 acres, both the aforesaid lands are situate at Tharipura Village, Kasaba Hobli, Srirangapatna Taluk, Mandya District. The petitioners contend

that they purchased the aforesaid lands from Sri.B.Ramesh, who is the notified khathedar.

3. They claim that the respondent No.1 had issued a notification bearing No. CI 196 SPQ 98 dated 03.07.1999 under Section 28(1) of the KIAD Act, in respect of the aforesaid lands. They contend that even after 27 years the respondent No.1 did not issue any final notification under Section 28(4) of the KIAD Act. They contend that no award is passed and the possession of the schedule lands are not taken. They contend that the respondent No.3 has issued an endorsement dated 29.09.2026 stating about issuance of the preliminary notification dated 03.07.1999 under Section 28(1) of the KIAD Act in respect of the aforesaid lands, however no steps are taken to issue final notification. They contend that the respondents have thus abandoned the acquisition. They contend that similarly placed land losers had approached this Court in various writ petitions and that this Court in W.P.Nos.29365/2024, 29385/2024, 28886/2024 and 19235/2026 quashed the preliminary notification and allowed the landlosers to utilize their land. The petitioners have therefore challenged the preliminary

notification and has also sought for a declaration that the acquisition has lapsed.

4. Learned counsel for the petitioners 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 petitioners cannot be kept waiting endlessly. She therefore submits that the acquisition has lapsed and prays for a declaration to that effect.

5. Learned counsel for the respondent Nos.2 and 3 in these petitions 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.29365/2024, 29385/2024, 28886/2024 and 19235/2026 and that this Court had quashed the preliminary notification and allowed the land losers to utilize their land.

6. The learned counsel for respondent Nos.4 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 to take necessary action against the respondent Nos.1 and 2.

7. I have considered the submissions of the learned counsel for the petitioners and learned counsel for the respondent Nos.2 and 3 as well as the learned counsel for the respondent Nos.4.

8. It is not in dispute that after a preliminary notification dated 03.07.1999 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 petitioners, the petitioners cannot be kept waiting endlessly and they cannot be deprived of the use of their lands for whatever purpose that they intend to. Therefore, the proposal to acquire the lands of the petitioners have remained a proposal and the acquisition proceedings have not been concluded. Consequently, the petitioners are entitled to utilize their lands for whatever purposes that they may desire.

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

**ORDER**

i. These writ petitions are ***allowed***;

ii. The impugned preliminary notification in both the petitions bearing No.CI 196 SPQ 98 dated 03.07.1999, issued by respondent No.1 under Section 28(1) of the Karnataka Industrial Areas Development Act, 1966, in respect of the petitioners' land bearing Sy.No.4 (New Sy.No.287), measuring 4 acres and land bearing Sy.No.4 (New Sy.No.288), measuring 3 acres, situate at Tharipura Village, Kasaba Hobli, Srirangapatna Taluk, Mandya District, are quashed;

iii. It is also declared that the proposal to acquire the aforesaid lands have lapsed. Consequently, any entry of the name of the respondent No.1 or the respondent No.2 in the revenue records of the aforesaid lands shall stand deleted and the names of the respective petitioners shall stand restored forthwith;

iv. The respondent Nos.4 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**

BKN
List No.: 1 Sl No.: 120