



**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE & J.M.F.C., AT DEVANAHALLI**

PRESENT

SRI. NATARAJ YADAV .S, M.B.A., LL.B.,

*Prl. Senior Civil Judge & J.M.F.C.,
Devanahalli.*

Dated this day of 02nd July, 2026

L.A.C. No.201/2006

BETWEEN:

1. Sri. M. Muneshamappa : **Claimants**
since Dead by his LRs
- 1(a). Smt. H. Jayamma
W/o Late Muneshamappa
Aged about 78 years,
- 1(b). Sri. M. Muneraju
S/o Late Muneshamappa
Aged about 57 years,
- 1(c). Sri. M. Muralidhar
S/o Late Muneshamappa
Aged about 51 years,
- 1(d). Smt. M. Komala
W/o Nagaraja
D/o Muneshamappa
Aged about 48 years,
- 1(e). Sri. M. Chandra Shekar
S/o Late Muneshamappa
Aged about 45 years,



*All are R/at: No.87, Chowdeshwari Farm,
Bhuvanahalli Village, Doddsanne Post,
Devanahalli Taluk*

2. Sri. M. Krishanappa since Dead by his LRs

*2(a) Smt. Susheelamma
W/o M. Krishanappa*

*2(b) Smt. Meenakshi
D/o M. Krishanappa*

*2(c) Sri. Suresha
S/o M. Krishanappa*

*2(d) Sri. Ravichnadra
S/o M. Krishanappa*

*2(e) Kum. Kusuma
D/o M. Krishanappa*

*2(a) to (e) are R/at:
near Government School,
Bhuvanahalli Village,
Doddsanne Post,
Kasaba Hobli,
Devanahalli Taluk,*

*3. Sri. Venkateshaiah
S/o Moodalappa*

*4. Sri. M. Muralidhar
S/o Muneshamappa*

*5. Sri.M. Gopalappa
S/o Sottappa*

6. Sri M. Narayanappa



S/o Sottappa

7. *Sri Krishna Kumar*
8. *Sri. N. Subramanya*

*Claimants No.3 to 8 are
all are R/at:
Bhuvanahalli Village,
Doddsanne Post,
Kasaba Hobli,
Devanahalli Taluk.*

9. *Smt. R. Savathramma
Since dead by her LR's*

*(a) Sri T. Prabhakar
S/o Late A. Thimmarayappa
& Savithramma*

*R/at: #11, Thirumala Rao Garden,
Nadhidurga Road Cross,
Jayamahar, Bangalore-560046*

*(Clts.1 (a to c) - By Sri.M.C.S., Advocate)
(Clts.2 (a to e) & C.3, 7 - By Sri.K.V.R., Advocate)
(Clts.9 ,C-1 (d to e) - By Sri.R.T.N., Advocate)
(Clt.5 - Not served)
(Clt.8 - Exparte)
(Clt.6 - By Sri. V.C., Advocate)*

AND:

*The Special Land Acquisition Officer : **Respondent**
KIADB,
Bengaluru*

(Resp. - Absent)



ORDERS

I. BACKGROUND

1. An extent of 1 Acre 18 Guntas of land situated in Survey No. 42/1A of Bhuvanahalli Village, Kasaba Hobli, Devanahalli Taluk, Bangalore Rural District, had been acquired in favour of the International Airport, Bangalore, vide Final Notification under Section 28(4) of the Karnataka Industrial Areas Development (KIAD) Act, 1966, published in the Karnataka Gazette dated 08.08.1996, pursuant to Notification No. CI 200 SPQ 1994 dated 08.08.1996.

1.1 The Award in respect of the said acquired land had been passed by this office vide Award No.KIADB/LAQ/INA/01/96-97/504/04-05 dated 27.12.2004, and the same had been duly approved by the Special Deputy Commissioner, KIADB, Bangalore District.

1.2 It was noted that there existed a prima facie dispute as to the apportionment of the compensation amount in respect of the Malkies/ Structures situated in the acquired land in Survey No. 42/1A among the several claimants. In view of the said dispute, this office had directed the deposit of the compensation amount pertaining to the said Malkies/Structures under Sections 30 & 31 of the Land Acquisition Act, 1894, for adjudication and appropriate apportionment by the competent Civil Court.



1.3 Accordingly, the compensation amount of Rs.1,65,821/- pertaining to the Malkies/Structures had been deposited in the Karnataka Bank, City Civil Court Complex, vide R.O. No. 241620 dated 09.07.2002, in a Fixed Deposit Account maintained therein, pending adjudication and disbursement.

II. BRIEF FACTS

2. It was noted that the land in Survey No. 42/1A had been purchased by the respective claimants on different occasions and under different registered sale deeds, as detailed herein below:

2.1 Claimant No. 1 (since deceased) had purchased an extent of 1 Acre 14 Guntas from its previous owner, Sri. T.R.Mahalingam, under a Registered Sale Deed dated 27.10.1980, along with two other Survey Numbers.

2.2 Claimant No.4 had purchased an extent of 36 Guntas from Claimants No.5, 6, and one Thimmarayappa, under a Registered Sale Deed dated 27.06.1994. It was also noted that Claimants No. 7 and 8 were the children of Claimant No. 6.

2.3 Under a Registered Sale Deed dated 02.04.1991, an extent of 1 Acre had been sold in favour of the deceased 9th Claimant, along with another 20 Guntas in Survey No. 5.



2.4 It was further noted that the Special Land Acquisition Officer had acquired in all 1 Acre 18 Guntas in Survey No. 42/1A, out of the aforementioned extents.

2.5 It was noted that the compensation in the present reference pertained solely and exclusively to the Malkies/Structures situated within the acquired land in Survey No. 42/1A, as valued in the Joint Survey Report (Ex. P-3), the details and valuation of which were as follows:

<i>Description of Structure Valuation</i>	<i>(Rs.)</i>
<i>Open Stone Well</i>	<i>1,32,364/-</i>
<i>Pump House</i>	<i>6,340/-</i>
<i>Bore Well</i>	<i>20,307/-</i>
<i>Stone Pillars</i>	<i>6,810/-</i>

Total Compensation for Malkies/Structures Rs. 1,65,821/-

2.6 It was further noted that in LAC No. 141 of 2006, the competent Civil Court had already adjudicated upon and apportioned the compensation for land in Survey No. 42/1A as follows:

1 Acre of land — apportioned in favour of Claimant No. 9



18 Guntas of land — apportioned jointly in favour of Claimant No. 1 & Claimant No. 4

2.7 It was additionally noted that in the Award passed in LAC No. 141 of 2006, the competent Civil Court had awarded the compensation amount in respect of buildings and trees amounting to Rs. 3,967/- in favour of Claimants No. 1 and 4, upon finding that:

Except Claimant No. 1 and Claimant No. 4, no other claimant had preferred a claim for compensation in respect of buildings and trees; and

The said Malkies were situated towards the acquired land belonging to Claimants No. 1 and 4, i.e., within the 18 Guntas of land belonging to them.

2.8 The said finding of the competent Civil Court in LAC No. 141 of 2006 had attained finality and was binding on all parties to the present proceedings.

2.9 It was noted that Claimant No. 1 had expired on 23.01.2016, and thereafter his Legal Representatives had been duly brought on record, namely:

Claimant No. 1(a) — Mother of the deceased Claimant No. 1

Claimant No. 1(b) — Sri. M. Muniraju, son of late Muneshamappa,



Claimant No. 1(c) & 1(d) — Brothers and Sister of the deceased Claimant No. 1

Claimant No. 4 — Brother of the deceased Claimant No. 1

2.10 It was noted that Claimant No. 1(b), Sri. M. Muniraju, had filed an affidavit on his behalf and also on behalf of Claimants No. 1(a), 1(c), 1(d), and Claimant No. 4, having been duly authorized by all of them to depose evidence and seek disbursement of the compensation amount in their favour.

III. REPLY / OBJECTIONS

3. It was specifically noted that no written reply and no written objections had been filed by Claimant No. 9(a) in the present reference proceedings at any stage.

3.1 It was noted that the counsel appearing on behalf of Claimant No. 9(a) had appeared before this Court and had made oral submissions. It was of significance that the said counsel had fairly and unequivocally submitted and conceded before this Court that the structures mentioned in the Joint Survey Report (Ex. P-3), namely the open stone well, pump house, bore well, and stone pillars, as valued at a total of Rs. 1,65,821/-, were situated within the 18 Guntas of land belonging to Claimants No. 1 and 4, and had accordingly submitted that the entire compensation amount of Rs. 1,65,821/- in respect of the said Malkies/Structures be released in favour of Claimants No. 1 and 4.



3.2 It was further noted that Claimants No. 2, 3, and 5 to 8 had neither appeared before this Court nor filed any reply, written objections, or pressed any claim in the present reference proceedings, and had accordingly not contested the claim of Claimants No. 1 (LRs) and Claimant No. 4 in any manner.

IV. DOCUMENTS PRODUCED

4. The following documents had been produced and exhibited by the parties during the course of proceedings before this Court:

<i>Exhibit No.</i>	<i>Description</i>
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<i>Ex. P-1</i>	<i>Certified Copy of the Judgment and Award passed in LAC No. 141 of 2006</i>
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<i>Ex.P-2</i>	<i>Award Notice issued by the Special Land Acquisition Officer</i>
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<i>Ex.P-3</i>	<i>Joint Survey Report reflecting the valuation of Malkies/ Structures in Survey No. 42/1A</i>
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<i>Ex. P-4</i>	<i>Letter, Covering Letter and Index of Documents</i>
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V. PRÉCIS OF ARGUMENTS

**Arguments on behalf of Legal Representatives of Claimant
No. 1 & Claimant No. 4:**



5. It had been submitted that the entire compensation amount of Rs. 1,65,821/- deposited in the above reference in respect of the Malkies/Structures as valued in Ex.P-3 rightfully and exclusively belonged to Claimants No. 1 (LRs) and Claimant No. 4, inasmuch as the said Malkies and structures were admittedly situated within the 18 Guntas of land belonging to them.

5.1 It had been further submitted that the competent Civil Court had already returned a clear, specific, and binding finding in LAC No. 141 of 2006 to the effect that the Malkies were situated towards the acquired land belonging to Claimants No. 1 and 4, i.e., within the 18 Guntas, and had accordingly awarded the compensation for buildings and trees to them. The said finding had attained finality.

5.2 It had been argued that the present reference pertained solely to the compensation for the Malkies/Structures valued at Rs. 1,65,821/- and that the remaining claimants had no right, title, or interest whatsoever in the said compensation amount, and accordingly the entire amount of Rs. 1,65,821/- together with all interest accrued thereon ought to be disbursed exclusively in favour of Claimants No. 1 (LRs) and Claimant No. 4.

Arguments on behalf of Claimant No. 9(a):

6. It was noted that no written reply had been filed by Claimant No. 9(a) in the present reference proceedings.



6.1 The counsel appearing for Claimant No. 9(a) had fairly and unequivocally submitted and conceded before this Court that the open stone well, pump house, bore well, and stone pillars as valued in the Joint Survey Report (Ex.P-3) at a total of Rs. 1,65,821/- were situated within the 18 Guntas of land belonging to Claimants No. 1 and 4, and had accordingly submitted that the said compensation amount be released in favour of Claimants No. 1 and 4.

VI. POINTS FOR CONSIDERATION

7. Upon hearing the arguments advanced by the respective counsel and upon careful perusal of the documents placed on record, the following points had been formulated for consideration in the present reference:

1: Whether the Legal Representatives of Claimant No. 1 and Claimant No. 4 were entitled to the entire compensation amount of Rs. 1,65,821/- deposited in the above reference in respect of the Malkies/Structures situated in Survey No. 42/1A, together with all interest accrued thereon?

2: Whether Claimants No. 2, 3, and 5 to 8 had any subsisting right or claim in the compensation amount of Rs. 1,65,821/- deposited in the present reference?

3: What Order and relief were the parties entitled to?

VII. FINDINGS



On Point No. 1 — Entitlement of Legal Representatives of Claimant No. 1 & Claimant No. 4:

8. It had been found that the compensation in the present reference pertained solely and exclusively to the Malkies/Structures situated within the acquired land in Survey No.42/1A, as valued at Rs. 1,65,821/- in the Joint Survey Report (Ex. P-3).

8.1 It had been found that the competent Civil Court had already returned a clear and binding finding in LAC No.141 of 2006 (Ex.P-1) that the Malkies were situated towards the acquired land belonging to Claimants No.1 and 4, i.e., within the 18 Guntas of land belonging to them, and had accordingly awarded the compensation for buildings and trees in their favour. The said finding had attained finality and was binding on all parties.

8.2 It had been further found that the counsel appearing for Claimant No.9(a) had fairly, specifically, and unequivocally conceded before this Court that the open stone well, pump house, bore well, and stone pillars as valued in Ex.P-3 at Rs. 1,65,821/- were situated within the 18 Guntas of land belonging to Claimants No. 1 and 4, and that the said compensation be released in their favour. No written reply, written objection, or counter claim had been filed by Claimant No. 9(a) to controvert the claim of Claimants No. 1 (LRs) and Claimant No. 4 at any stage of the proceedings.



8.3 It had been found that since Claimant No. 1 had expired on 23.01.2016, his Legal Representatives, namely Claimants No. 1(a), 1(b), 1(c), and 1(d), along with Claimant No. 4, had been duly brought on record, and were entitled to receive the compensation amount on behalf of the deceased Claimant No. 1 in accordance with the applicable law of succession and inheritance.

8.4 In view of the aforesaid finding of the competent Civil Court in LAC No. 141 of 2006, the uncontroverted evidence on record, and the fair and unequivocal concession made by the counsel for Claimant No. 9(a), it was held that the entire compensation amount of Rs. 1,65,821/- deposited in the present reference in respect of the Malkies/Structures, together with all interest accrued thereon, was liable to be disbursed exclusively in favour of the Legal Representatives of Claimant No. 1 and Claimant No. 4.

8.5 Accordingly, Point No. 1 was answered in the AFFIRMATIVE and in favour of the Legal Representatives of Claimant No. 1 and Claimant No. 4.

On Point No. 2 — Claims of Claimants No. 2, 3, and 5 to 8:

9. It had been found that Claimants No. 2, 3, and 5 to 8 had neither appeared before this Court nor filed any reply, written objections, or pressed any claim in the present reference



proceedings at any stage. It had been further found that these claimants had no subsisting right, title, or interest in the compensation amount of Rs. 1,65,821/- deposited in the present reference in respect of the Malkies/ Structures in Survey No. 42/1A.

9.1 Accordingly, Point No. 2 was answered in the NEGATIVE, and it was held that Claimants No. 2, 3, and 5 to 8 had no subsisting right or claim in the compensation amount deposited in the present reference and were not entitled to any disbursement therefrom.

On Point No. 4 — Relief:

In view of the aforesaid findings, the concession made by the counsel for Claimant No. 9(a), and for the reasons recorded hereinabove, the following order under Sections 31 and 32 of the Land Acquisition Act, 1894 was passed:

ORDER

(i) The present Reference was ALLOWED WITH COSTS in favour of the Legal Representatives of Claimant No. 1 and Claimant No. 4.

(ii) The present Reference was DISMISSED as against Claimants No. 2, 3, and 5 to 8, who were held to have no subsisting right or claim in the compensation amount deposited in the present reference.



(iii) It was ORDERED AND DECLARED under Section 32 of the Land Acquisition Act, 1894 that the Legal Representatives of Claimant No. 1 and Claimant No. 4 were jointly and exclusively entitled to the entire compensation amount in respect of the Malkies/Structures situated in the acquired land in Survey No. 42/1A, as valued in the Joint Survey Report (Ex. P-3), the details of which were as follows:

Description of Structure	 Amount (Rs.)
Open Stone Well	 1,32,364/-
Pump House	 6,340/-
Bore Well	 20,307/-
Stone Pillars	 6,810/-
Total	 **Rs. 1,65,821/-**

(iv) It was ORDERED AND DIRECTED that the entire compensation amount of Rs. 1,65,821/- together with all interest accrued thereon till the date of actual disbursement be released and disbursed in favour of the Legal Representatives of Claimant No. 1 and Claimant No. 4 from the Fixed Deposit Account maintained in the Karnataka Bank, City Civil Court Complex, vide R.O. No. 241620 dated 09.07.2002, in accordance with Section 31 and Section 32 of the Land Acquisition Act, 1894.

(v) The Advocate Fee was fixed at Rs. 1000/-.



(vi) It was directed that the Award be drawn accordingly and that the disbursement be effected in strict compliance with this Order.

(Dictated to the Stenographer on computer, typed by her, revised, corrected and then pronounced by me in the open Court on this the 02nd day of July, 2026.)

**Sd/-
(NATARAJ YADAV .S)
Prl. Senior Civil Judge & JMFC.,
Devanahalli**

ANNEXURE

Witness examined for the Claimants :

PW.1 : Sri. M. Muniraju

Documents exhibited for the Claimants :-

Ex. P-1 : Certified Copy of the Judgment and Award passed in
LAC No. 141 of 2006

Ex.P-2 : Award Notice issued by the Special Land Acquisition
Officer



*Ex.P-3 : Joint Survey Report reflecting the valuation of Malkies/
Structures in Survey No. 42/1A*

Ex. P-4 : Letter, Covering Letter and Index of Documents

Witness examined for the Respondent/s :

- NIL -

Documents exhibited for the Respondent/s:

- NIL -

Sd/-
(NATARAJ YADAV .S)
Prl. Senior Civil Judge & JMFC.,
Devanahalli.