



**IN THE COURT OF SENIOR CIVIL JUDGE AND MACT
AT K.R.NAGAR, MYSORE**

LAC No.8/2014

PRESENT: Aravindra B.C., *B.A., LL.B.*,
Senior Civil Judge and J.M.F.C.,
K.R.Nagar.

DATED THIS THE 13th DAY OF MARCH, 2026

Petitioner: Sri. H.S.Srinivas,
S/o Late Javaregowda
@ Subbegowda,
Hosur village,
Chunchanakatte Hobli,
K.R.Nagar Taluk.

(By **Sri. P.D.**, Adv.)

-Vs-

Respondent: Special Land Acquisition Officer,
Karnataka Industrial Areas,
Development Board,
Zonal Office, K.R.S. Road,
Mysuru.

Objector: Smt. Yashodhamma,
W/o Late H.S.Nagaraj,
Hosur Village,
Chunchanakatte Hobli,
K.R.Nagar Taluk.

(Respondent by **Sri. R.C.**, Adv.)
(Objector by **Sri. L.V.R.**, Adv.)



Date of Institution of the petition	:	12.09.2014
Nature of Petition	:	Dispute as to apportionment under Section 30 of the Land Acquisition Act
Date of commencing of recording of Evidence	:	12.07.2014
Date of Pronouncement of Judgment	:	13.03.2026
Total Duration	:	Year / Month / Days 11 / 06 / 01

**(Aravindra B.C.)
Senior Civil Judge & JMFC,
K.R.Nagar.**

J U D G M E N T

The Special Land Acquisition Officer, Karnataka Industrial Areas Development Board, Zonal Office, K.R.S. road, Mysuru has referred to record seeking disbursement award amount under Section 30 of Land Acquisition Act 1894.

2. The case of petitioner's is as under;

As per records, the land acquisition officer had acquired the property land bearing Sy.No.235 to an extent of 24 guntas of Haliyuru village, Chunchanakatte



Hobli, K.R.Nagar Taluk for development of industrial areas, Mysuru. The Special Land Acquisition officer had awarded amount and at that time the petitioner H.S.Srinivasa has trying to release the award amount. The objector Smt.Yashodhamma had filed objection to the award amount. Hence, the land acquisition officer has referred the matter to this court for disbursement of the award amount.

3. After registration of this case, the petitioner and objector have appeared before this court through their respective counsels and objector by name, Smt.Yashodhamma filed objection to the petition.

4. Further, the record shows that the land acquisition officer has deposited amount of Rs.2,29,500/- and Rs.3,91,500/- respectively. But, instead of mentioning the court name of the Senior Civil Judge and JMFC, K.R.Nagar, they have mentioned Civil Judge and JMFC, K.R.Nagar. Accordingly the cheque baring No.969926 and 969925 resent to the land acquisition officer to correct



the defect and to re-validate the cheques. But, the land acquisition officer has not been resubmitted the said cheques. Accordingly, the petition was dismissed by order dated 12.12.2019. Further, the record shows that the land acquisition officer has deposited amount of Rs.2,29,500/- vide RO No.072653 dated 10.08.2016. Further, the record shows that as per order passed in Mis petition No.4/2020 dated 18.04.2023, the petition was restored.

5. The petitioner by name K.Srinivasa has been examined before this court as PW-1 and got marked the 6 documents at Ex.P1 to P6.

6. On the other hand on behalf of the objector, the P.A. Holder namely, H.N.Nagesh examined as RW-1 and got marked the 3 documents at Ex.R1 to R3.

7. Heard the arguments from the counsels appearing on behalf of the parties.

8. Now the following points arise for consideration of this court:-



1. Whether the objector is entitled for receiving amount deposited by the land acquisition officer towards the acquisition of the land ?

2. What order ?

9. After careful perusal of pleadings, evidence and other materials placed on record, my findings to the above points are as under:

Point No.1 : In the Negative

**Point No.2 : As per final order.
For the following;**

REASONS

10. **Issue No.1:-** The case of the petitioner, K.Srinivas is that he is the owner of the land bearing Sy.No.235 to an extent of 24 guntas of Haliyuru village, Chunchanakatte Hobli, K.R.Nagar Taluk. He had purchased the same under registered sale deed dated 21.04.1977 from Venkategowda and Krishnegowda. From the date of sale deed, he is in possession and enjoyment of the schedule property. In pursuance of the sale deed, the katha of the property mutated in his name. Further,



stated that the land acquisition officer, K.I.A.D.B., Mysuru had acquired the said property for the purpose of industrial Development. Accordingly, the preliminary notification was published on 30.04.2013 and final notification was published on 30.10.2023 and fixed the rate per 1 acre Rs.10,80,000/-.

11. Further, stated that the objector Smt.Yashodamma has filed an objection before the land acquisition officer and stated that she is also entitled the amount. Accordingly, the land acquisition officer has referred the matter to this court for disbursement of the amount as per Section 30 of the Land Acquisition Act.

12. In order to prove the case of the petitioner Sri.H.S.Srinivasa examined before this court as PW-1 and he filed affidavit in lieu of examination-in-chief. Wherein, he deposed that he is the owner of the land bearing Sy.No.235 to an extent of 24 guntas of Haliyuru village, Chunchanakatte Hobli, K.R.Nagar Taluk. He had purchased the same under registered sale deed dated



21.04.1977 from Venkategowda and Krishnegowda. Further, he deposed that the respondent land acquisition officer acquired the said property for industrial purpose. Accordingly, passed award. Further, he deposed that the objector who has no manner of right over the schedule property and filed objection with intention to the harass to the petitioner. In support of his oral assertions, he has produced 6 documents i.e., copy of the sale deed, mutation extract, RTC extracts, tax paid receipts and encumbrance certificate which are marked at Ex.P1 to P6 respectively.

13. On perusal of the oral and documentary evidence of the petitioner, it appears that he was purchased the land bearing Sy.No.235 to an extent of 24 guntas under registered sale deed dated 21.04.1977 from Venkategowda and Krishnegowda. Further it appears that in pursuance of sale deed, the katha of the property mutated in his name and his name was entered in the



revenue records and he paid tax to the concerned authority.

14. On the other hand, the objector has not been challenged the oral and documentary evidence of the petitioner and there is no reason to disbelieve the case of the petitioner. But, he has purchased the disputed property under Ex.P1/sale deed. In pursuance of the sale deed, the katha of the property mutated in his name and his name is entered in the revenue records. After that the respondent of land acquisition officer had acquired the property by issuing preliminary notification as well as final notification.

15. Further, important aspect is to be noted that there is no dispute that the Special Land Acquisition Officer, Karnataka Industrial Development Board had acquired the property for industrial purpose. Accordingly, the preliminary notification was published in vide No.CI 157 SPQ 213, dated 30.04.2013 Gazette dated 30.04.2013. Further, the final notification was published



under vide No.CI 157 SPQ 2013, dated 30.10.2013 Gazette dated 30.10.2013. As per final notification, the agreement rate per acre was fixed Rs.10,80,000/-. Admittedly, the said final notification has not been challenged by the objector Smt.Yashodamma so far. Whereas, she filed objection to the disbursement of the amount.

16. On the other hand, the objector has not been entered into the witness box to prove her contention taken in the objection statement. However, she executed general power of attorney in favour of her son. He examined as RW-1. He deposed that the objector by name, Yashoda was filed a suit in OS No.34/2014 on the file of Addl. Civil Judge and JMFC, K.R.Nagar for the relief of declaration.

17. Further, he deposed that there was partition took place between the family members of the objector. In the said objector, the disputed schedule property fell into the share of husband of objector by name, H.S.Nagaraj. The



said Nagaraj was died on 26.04.2011 leaving behind the objector, Yashodhamma. After his death, she is in possession and enjoyment of the schedule property. The petitioner has no manner of right over the schedule property. In support of his oral assertions, he has produced the 3 documents which are marked at Ex.R1 to R3.

18. The RW-1 has been subjected to the cross-examination. In the cross-examination, he admits that there was partition took place between his uncle and his father. Further, admits that in pursuance of partition, the katha of the properties mutated separately. Further, he admits that after partition took place between his father and petitioner, the petitioner had purchased the land bearing Sy.No.235 to an extent of 24 guntas under registered sale deed dated 21.04.1977. Further, he admits that in pursuance of the sale deed, the katha of the property mutated in the name of petitioner. Further he admits that after verifying the all documents



pertaining to the acquisition property, the land was acquired. He deposed that in the year 1998 there was partition took place between the family members. But, no documents have been produced by the objector.

19. On perusal of the materials available on record, it could be seen that the petitioner was acquired the schedule property under registered sale deed dated 21.04.1977. In pursuance of the sale deed, the katha of the property mutated in his name. After that, the land acquisition officer had acquired the property by issuing preliminary notification as well as final notification. The objector has filed claim petition before the land acquisition officer stating that she is also entitled share over the amount. But, the objector has not produced any document to show that she having right over the acquisition property.

20. On the other hand, the objector has clearly admits that the petitioner has purchased the schedule property under registered sale deed dated 21.04.1977. It



is not the case of the objector that the disputed property purchased in the name of petitioner from the joint family funds. Hence, the objector is not entitled amount deposited by the land acquisition officer. However, the petitioner/Srinivasa is entitled said amount being absolute owner of the acquisition property. Hence, the petitioner is entitled for receiving the compensation amount awarded by the respondent/land acquisition officer. **Accordingly, this court answered point No.1 is in the Negative.**

21. **Point No.2:-** In the light of foregoing discussions, this court proceeds to pass the following;

ORDER

The petition filed by the respondent/The Special Land Acquisition Officer, Karnataka Industrial Areas Development Board, Zonal Office, K.R.S. road, Mysuru Under Section 30 of Land Acquisition Act 1894 is allowed.



The petitioner/H.S.Srinivas S/o Late Javaregowda entitled amount of Rs.2,29,500/-.

Office is directed to release the amount of Rs.2,29,500/- in favour of H.S.Srinivas S/o Late Javaregowda through K-2 E-payment, after due identification subject to execution of indemnity bond of Rs.500/-.

(Dictated to the Stenographer directly on computer, typed by her, corrected by me and then pronounced in the open Court, on 13th day of March, 2026)

(Aravindra B.C.)
Senior Civil Judge & JMFC,
K.R.Nagar.

::A N N E X U R E::

List of witnesses examined for the petitioner/s:

P.W.1 : Sri. H.S.Srinivasa

List of documents exhibited for the petitioner/s:

Ex.P1 : Copy of sale deed
Ex.P2 : Copy of M.R. Extract
Ex.P3 & 4 : RTC extracts
Ex.P5 : Tax paid receipt
Ex.P6 : Encumbrance certificate

List of witnesses examined for the respondent/s:

R.W.1 : Sri. H.N.Nagesh



List of documents exhibited for the respondent/s:

- Ex.R1 : Authorization letter
- Ex.R2 : Certified copy of order sheet & Plaint
in OS No.34/2014

**Senior Civil Judge & MACT,
K.R.Nagar.**