



Presented on : 17-04-2012
Registered on : 17-04-2012
Decided on : 04-07-2026
Duration : 14 years 02 months 17 days

**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE AND
CJM., AT RAMANAGARA**

Dated : THIS IS 4th DAY OF JULY, 2026

Present:-

SRI. LOKESHA

B.A., L.L.B.,

Prl. Senior Civil Judge & CJM.,
Ramanagara.

L.A.C.No.115/2012

Claimants :-

1. Smt. Parvathi
W/o late Thimmaiah,
2. Smt. Rangamma
W/o late Thimmaiah,
(dead)
3. Sri. Thimmaraju
S/o late Shivanna,
4. Sri. Murthy
S/o late Shivanna,
5. Sri. Muniraju
S/o late Thimmaiah,
6. Sri. Venkatesh
S/o Muniraju,



7. Sri. Natesh
S/o Muniraju,
8. Smt. Jayamma
D/o late Thimmaiah,
9. Smt. Bhagyamma
D/o Thimmaiah,

All are R/at
Shyanumangala Village,
Bidadi Hobli,
Ramanagara Taluk,
Ramanagara District.

10. Sri. Venkataiah
S/o late Chowdaiah,
(Dead by his Lrs.,)

- 10(a) Smt. Lakshmamma
W/o Puttavenkataiah,
aged about 62 years,

- 10(b) Sri. Puttaraju
S/o late Venkataiah,
aged about 40 years,

- 10(c) Smt. Lakshmi
D/o late Venkataiah,

- 10(d) Sri. Krishna Kantha
S/o late Venkataiah

All are R/at
Shyanumangala Village,



Bidadi Hobli,
Ramanagara Taluk,
Ramanagara District.

**(Clmt-1 by Sri. S.L. Adv.,
Clmt-3, 4, 8, 9 by Sri. K.S.L. Adv.,
Clmt-5, 6, 7 by Sri. V.K.S. Adv.,
Clmt- 10 by Sri. T.R.G. Adv., to 5)
Vs.**

Respondents : The Special Land Acquisition
Officer,
K.I.A.D.B,
Bengaluru.

(R/by Sri. L.B.A. Adv.,)

* * *

JUDGMENT

This is a reference made under Sec.30 and 31 of the Land Acquisition Act, 1894 by the Special Land Acquisition Officer, K.I.A.D.B, Bengaluru on the basis of the objections raised by Smt. Parvathi with respect to release of compensation amount of Rs.32,00,000/- of acquired land of 32 guntas in Sy.No.31 at Shyanumangala Village. By



referring this matter Special Land Acquisition Officer, K.I.A.D.B, Bengaluru has deposited the compensation amount of Rs.32,00,000/- vide R.O.No.447052 on 18.04.2012 before this court.

2. The brief facts leading to the reference is as under:-

It is not in dispute that the Special Land Acquisition Officer, K.I.A.D.B., Bengaluru acquired that the land bearing Sy.No.31 measuring 32 guntas out of 1 acre 18 guntas of Shyanumangala Village, Bidadi Hobli, Ramanagara Taluk vide final Notification No.CI23-SPQ2007, dated: 04.10.2007 and CI280-SPQ 2007, dated:19.10.2007 for the purpose of Bidadi Industrial Area Development and compensation of Rs.32,00,000/- has been awarded. As the Claimant No.1 Smt. Parvathi raised an objections to release the said amount in favour of the interested person of acquired land,



this matter has been referred under Sec.30 and 31 of the Land Acquisition Act, 1894.

3. On receipt of reference, the case has been registered as against the Special Land Acquisition Officer, K.I.A.D.B, Bengaluru and Claimants are shown as Smt. Parvathi, Smt. Rangamma, Sri. Thimmaraju, Sri. Murthy, Sri. Muniraju, Sri. Venkatesh, Sri. Natesh, Smt. Jayamma, Smt. Bhagyamma and Sri. Venkataiah(purchaser of acquired land).

4. On registering the case as the LAC, notice was ordered to be issued to Claimants and Claimants have apperaed before the court through their respective counsels. The Claimant No.10 is purchaser in Sy.No.31 and he filed objections to this petition as Respondent No.10. However, he is described as Claimant No.10 in the petition. This



Venkataiah filed objections contending that, he has purchased property bearing Sy.No.31 measuring 1 acre 18 guntas, situated at Shyanumangala Village, Bidadi Hobli, Ramanagara Taluk and District through registered sale deed dated:02.04.2005 from Smt. Rangamma, Sri. Murthy, Smt. Parvathi and Smt. Jayamma for valuable sale consideration. Since the date of purchase, he has been possession of the said land and khata has been mutated in his name vide M.R.No.43/2007-08. Subsequently, it has been phoded and renumbered as Sy.No.31/2. Out of total extent of 1 acre 18 guntas 32 gunas has been acquired by Karnataka Industrial Area Development Board. It is further stated that one Smt. Parvathi D/o late Thimmaiah has no manner of right, title or interest or possession over the acquired land. It is further stated that one Sri. Srinivas and others have filed a suit in O.S.No.17/2009 against the Smt. Rangamma and others. In the said suit present Claimant was Defendant No.9 and he



had filed written statement that this Claimant is bonafide purchaser and he is entitled for compensation.

5. During pendency of the proceedings, some Claimants had filed an application under Order 1 Rule 10 of CPC., seeking their impleadment as Claimants No.11(a) to 11(d) and 12 to 18 and said application was dismissed by this court.

6. The Climant No.1 Smt. Parvathi has filed her chief affidavit and examined herself as PW.1 and she has produced Ex.P16 to 39 and Claimant No.10 Sri. Venkataiah had filed his chief affidavit and examined himself as PW.2 and he got marked Ex.P1 to 15. Subsequently, during pendency of the proceedings he died and his legal heirs were came on record. Smt. Lakshamma D/o 10th Claimant Sri. Venkataiah has filed her chief affidavit and examined herself



as PW.3. She has produced Ex.P40 and 41. The 9th Claimant Smt. Bhagyamma examined herself as PW.4. PW.1 has been cross-examined by the learned counsel for the Claimant No.10. PW.3 Smt. Lakshamma cross-examined by the learned counsel for the Claimant No.1. Other Claimants had not adduced evidence. Hence, case was posted for arguments.

7. Heard the arguments of the learned counsel representing the Claimants and the Respondent and perused the materials on record.

8. The following points would arise for my consideration :-

POINTS

1. Among the Claimants No.1 to 10 who is entitled for compensation amount of acquired land measuring 32 guntas in Sy.No.31 awarded?

2. What Order or Award ?



9. My answers to the above Points are as under:-

Point No.1 :- The Claimant No.10(a) to (d) Lrs., of Claimant No.10 Sri. Late Venkataiah S/o late Chowdaiah are entitled to receive the compensation amount

Point No.2 :- As per the final order for the following:-

REASONS

10. Point No.1:- Admittedly, this is a reference made by the Respondent under Sec.30 and 31 of the Land Acquisition Act, 1894 and the record discloses that the land bearing Sy.No.31 measuring 32 guntas at Shyanumangala Village, Bidadi Hobli, Ramanagara Taluk and District has been acquired by Special Land Acquisition Officer, KIADB, Bengaluru vide final Notification No.CI23-SPQ2007, dated: 04.10.2007 and CI280-SPQ 2007, dated:19.10.2007 for the purpose of Bidadi Industrial Area Development and



compensation of Rs.32,00,000/- has been awarded. On the basis of objections raised by the Claimant No.1 Smt. Parvathi the Special Land Acquisition Officer, KIADB, Bengaluru has referred this matter under Sec.30 and 31 of Land Acquisition Act to decide the issue as to who is entitled for compensation amount of acquired land among Claimants No.1 to 10. As I have already noted above the compensation amount of Rs.32,00,000/- has been deposited on 18.04.2012 before this court vide R.O.No.447052 as noted in the order sheet dated:17.04.2012.

11. In support of her contention, the Claimant No.1 Smt. Parvathi examined herself as the P.W.1 and filed her affidavit and she has produced Ex.P16 to 39 documents on her behalf. Ex.P1 is copy of the Judgment of O.S.No.17/2009 filed by the Claimant No.1 Smt. Parvathi as against her mother and brother including deceased Claimant No.10



Venkataiah, who is the purchaser of the acquisition land. Ex.P2 is the copy of the decree of O.S.No.17/2009. Ex.P3 to 11 are the RTC extracts. Ex.P12 is the certified copy of the sale deed executed by the Muniraju S/o Thimmaiah and his mother Smt. Rangamma on her behalf and on behalf of her minor children Venkataiah and Natesh in favour of deceased Venkataiah. Ex.P15 is the copy of the R.P.No.24/2000-01. Ex.P16 is the copy of the order sheet of O.S.No.93/2023. Ex.P17 is the copy of the plaint in O.S.No.93/2023 filed by the Claimant No.9 Smt. Bhagyamma as against her brother and others. Ex.P18 is written statement of Defendants No.1 to 4 filed by the Defendants in O.S.No.93/2023. Ex.P19 is the copy of the written statement of Defendants No.9 to 12. Ex.P21 is the written statement of Defendants No.1 to 4 in O.S.No.93/2023. Ex.P23 is the certified copy of the order passed on I.A.No.1 filed in O.S.No.93/2023. Ex.P24 to 36 are



the certified copies of the interim application filed in O.S.No.93/2023.

12. Under Ex.P12 property measuring 1 acre 18 guntas, Sy.No.31 of Shyanumangala Village, Bidadi Hobli is sold by Muniraju and his mother Rangamma in favour of Venkataiah Claimant No.10 on 02.04.2005. It is true that as per recitals of Ex.P12, said property was ancestral property and it has been alienated for family and legal necessity in favour of Claimant No.10 Venkataiah. It is to be noted that the Claimant No.1 Smt. Parvathi had filed a suit in O.S.No.17/2009 as against her mother and brother including Claimant No.10 Venkataiah seeking partition and separate possession over 1 acre 18 guntas of land challenging the sale deed executed in favour of Claimant No.10. Undisputedly, Claimant No.10 Venkataiah had contested the said suit that he is the bonafide purchaser of the said land. This contention has been accepted by the



court and said suit of O.S.No.17/2009 case is dismissed and confirming the sale deed executed on 04.02.2005 in favour of Claimant No.10 Venkataiah by mother and brother of Smt. Parvathi. Undisputedly, said Judgment and Decree was also challenged by the Claimant No.1 Smt. Parvathi by filing R.A.No.23/2018 and it was renumbered as R.A.No.82/2019 and said appeal also came to be dismissed by the Hon'ble III Addl. District and Sessions Judge, confirming the Judgment and Decree of the trial court. Undisputedly, the Claimant No.1 Smt. Parvathi has not filed further appeal challenge the Judgment and Decree of O.S.No.17/2009 and R.A.No.82/2019. In the said suit and appeal Claimant No.10 Venkataiah is held to be bonafide purchaser and it is also held that daughters of Thimmaiah had no right to claim share in the property alienated much prior to 20.12.2004. So, the said Judgment attained finality. It is to be noted that the said Judgment was also challenged by one Srinivas by



filing R.A.No.23/2018, which was renumbered as R.A.No.82/2019, the said appeal also came to be dismissed by the Hon'ble III Addl. District and Sessions Judge, Ramangara. These Judgments have attained finality.

13. I have also perused the oral testimony of PW.1 Smt. Parvathi. PW.1 admits the dismissal of O.S.No.17/2009 and R.A.No.82/2019. I have also oral testimony of PW.3 Smt. Lakshamma W/o Venkataiah. She files her chief affidavit and she has been cross-examined by the learned counsel for the Claimant No.1. During the course of cross-examination of PW.3 suggestion is made by the Claimant No.1 Advocate that Smt. Bhagyamma had filed O.S.No.93/2023 claiming partition in the acquired land and same is pending before Prl. Civil Judge and JMFC., Ramanagara. It is to be noted that said Bhagayamm was also party to the suit in O.S.No.17/2009. She had not challenged the Judgment and



Decree of O.S.No.17/2009. However, the act of the Bhagyamma in not filing of appeal challenging the Judgment and Decree of O.S.no.17/2009 amount waiver by the Claimant No.9 Bhagyamma.

14. So, it is to be noted that this Ex.P12 sale deed establish the fact that as on the date of acquisition of 32 guntas of Sy.No.31, Claimant No.10 Ventakaiah was owner in possession of the acquired land. Moreover, the Judgment and Decree noted above have attained finality. So one thing is clear from the evidence on record that as on the date of acquisition of 32 guntas of Sy.No.31 deceased Claimant No.10 Venkataiah was owner and in possession of the acquired the land. Under such circumstances, children of Thimmaiah had no right to claim compensation amount of acquired land. It is mad it clear that the Claimants No.1 to 9 have no right to claim compensation amount of acquired



land in view of the fact that as on the date of acquisition of land they were not the owners, Claimant No.10 Venkataiah alone was owner of the land acquired as on the date of acquisition. Therefore, it is to be held that Venkataiah S/o Chowdaiah alone was entitled to receive compensation of acquired land from the Respondent. Admittedly, during pendency of the proceedings Claimant No.10 Venkataiah is died and his legal heirs were came on record, they are the wife and children viz., Smt. Lakshamma, Sri. Puttarama, Smt. Lakshmi and Sri. Krishna Kantha are entitled to receive compensation amount of acquired land in Sy.No.31 measuring 32 guntas from the Respondent and except them, none others have any right over the same. Hence, **Point No.1 answered accordingly.**

15. Point No.2:- In view of my answer to Point No.1, I proceed to pass the following:-



ORDER

The reference under Sec.30 and 31 of the Land Acquisition Act is allowed.

The Claimants No.10(a) to 10(d) are entitled to receive the compensation in equal proportion, together with accrued interest thereon.

The claim made by the Claimants No.1 to 9 is rejected.

Further, the Claimants No.10(a) to 10(d) shall execute Indemnity Bond/s to the extent of the compensation amount, to which they are entitled to.

Draw decree accordingly.

(Dictated to the Stenographer, transcribed by her, transcript thereof is corrected, signed and then pronounced by me in the open court on this the 4th day of July, 2026).

(Lokesha)
Prl.Senior Civil Judge & CJM.,
Ramanagara.

ANNEXURE

1. List of Witness/s examined by the Claimants:-

P.W.1 : Smt. Parvathi



P.W.2 : Sri. Venkataiah;
P.W.3 : Smt. Lakshamma;
P.W.4 : Smt. Bhagyamma.

2. List of documents exhibited by the Claimants:-

Ex.P.1 & 2 : Certified copy of the Judgment and Decree;
Ex.P3 : Mutation Register extract;
Ex.P4 to 11 : RTC extracts;
Ex.P12 : Certified copy of Sale Deed dated:- 02.04.2005;
Ex.P13 : Mutation Register extract;
Ex.P14 : Order copy of R.A.(LKP)142/1997-98
Ex.P15 : Certified copy of order in R.P.No.24/2000-01;
Ex.P.16 : Certified copy of the Judgment and Decree in O.S.No.93/2023;
Ex.P17 : Certified copy of the plaint in O.S.No.93/2023;
Ex.P18 & 19 : Certified copy of the written statements in O.S.No.93/2023;
Ex.P20 : Certified copy of the Issues in O.S.No.93/2023;
Ex.P21 : Certified copy of the objections to IA in O.S.No.93/2023;
Ex.P22 : Certified copy of the IA in O.S.No.93/2023;
Ex.P23 : Certified copy of the IA No.1 in O.S.No.93/2023;
Ex.P24 : Certified copy of the IA No.2 in O.S.No.93/2023;
Ex.P25 to 39 : Certified copy of the IA No.3 to



Ex.P40 : 16 in O.S.No.93/2023;
: IA No.2 in O.S.No.93/2023;
: Certified copy of Judgments
and decrees in R.A.No.82/2019
and R.A.No.135/2016.

3. List of Witness/s examined by the Respondents:-

-Nil-

4. List of documents exhibited by the Respondents:-

-Nil-

(Lokehsa)
Prl.Senior Civil Judge & CJM.,
Ramanagara.