



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 3687 OF 2026 (LA-RES)

BETWEEN:

1. M B JAYAKUMAR
AGED 57 YEARS
S/O LATE H.T.BHIMEGOWDA,
RESIDING AT M.N.KOTE,
NITTUR HOBLI, GUBBI TALUK,
TUMKUR DISTRICT-572 222

... PETITIONER

(BY SRI. R KUMAR., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, M.S. BUILDING,
BANGALORE - 560 001.
2. THE SPECIAL LAND ACQUISITION OFFICER,
HEMAVATHI CANAL ZONE,
TUMAKURU-572 101.
3. THE CHIEF ENGINEER,
HEMAVATHI CANAL ZONE,
KUNIGAL ROAD, TUMKUR-572 101.

... RESPONDENTS

(BY SRI. KIRAN KUMAR, HCGP)





THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE 2ND RESPONDENT TO REFER THE PETITIONER'S APPLICATION FILED UNDER SECTION 28-A(3) OF THE LAND ACQUISITION ACT, 1894 IN CASE NO. SLAOSR(GU)51/2003-04 VIDE ANNEXURE-C TO THE JURISDICTIONAL CIVIL COURT WITHIN A TIME FRAME TO BE FIXED BY THIS HON'BLE COURT AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The petitioner has sought for issuance of writ of mandamus to direct respondent No.2 [Special Land Acquisition Officer] to refer the petitioner's application in terms of Section 28A(3) of the Land Acquisition Act, 1894 ['the Act' for short] to the jurisdictional Civil Court.

2. It is the case of the petitioner that Award was passed as at Annexure-'B' under Section 28A of the Act as regards the lands covered by the same notification as that of the petitioner.



3. The petitioner submits that he is not satisfied with the compensation awarded in terms of Annexure-'B' dated 06.05.2025 in terms of Section 28A(3) of the Act.

4. The petitioner has sought for reference to the Civil Court, which application made to the Special Land Acquisition Officer has not been acted upon.

5. Taking note of the legal mandate under Section 28A(3) of the Act, the present petition is ***allowed***. The respondent No.2-Special Land Acquisition Officer is directed to make a reference to the Civil Court in terms of the application filed at Annexure-'B' dated 06.05.2025. Such reference to the Civil Court to be made within a period of one month from the date of receipt of certified copy of the order. All contentions are kept open.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE