



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 5649 OF 2026 (LA-UDA)

BETWEEN:

1. SMT MALAMMA
W/O LATE SRI SHIVANNA
AGED ABOUT 63 YEARS
2. SRI BASAVARAJU S
S/O LATE SRI SHIVANNA
AGED ABOUT 39 YEARS
3. SMT KAVITHA S
W/OS HIVANANJEGOWDA
AGED ABOUT 36 YEARS
4. SRI J RAMASWAMY
S/O ALTE JAVAREGOWDA
@ MUKALEGOWDA
AGED ABOUT 65 YEARS
5. SRI RAMAMMA
W/O KENCHIAIAH
AGED ABOUT 64 YEARS

Digitally signed
by VIJAYA P
Location: HIGH
COURT OF
KARNATAKA

THE PETITIONERS ARE R/O
KOTEHUNDI VILLAGE



KASABA HOBI
MYSURU - 570 008

... PETITIONERS

(BY SRI. LINGARAJU K.R., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA
DR. B R AMBEDKAR VEEDHI
BENGALURU - 560 001
2. THE COMMISSIONER
MYSORE URBAN DEVELOPMENT AUTHORITY
JLB ROAD
MYSURU - 570 005
3. THE SPECIAL LAND ACQUISITION OFFICER
MYSURU URBAN DEVELOPMENT AUTHORITY
JLB ROAD
MYSURU - 570 005

... RESPONDENTS

(BY SRI. HARISH A.S., AGA FOR R1;
SRI G.M. ANANDA, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE PRELIMINARY NOTIFICATION BEARING NO.LAQ (1) CR 86/2005-06 DATED 04/01/2007, ISSUED BY THE RESPONDENT NO. 2 VIDE ANNEXURE - A, PUBLISHED UNDER SECTION 17(1) OF THE KARNATAKA URBAN DEVELOPMENT AUTHORITY ACT, 1987 FOR FORMATION OF LAYOUT KNOWN AS SWARNA JAYANTHI NAGAR IN RESPECT OF PETITIONER NO.1 TO 3 LAND BEARING SY, NO. 61/6 MEASURING 22 GUNTAS, PETITIONERS



NO. 4 LAND BEARING SY., 2 GUNTAS AND PETITIONER NO. 5 LAND BEARING 61/4 MEASURING 25 GUNTAS ALL THE LANDS HAVE BEEN SITUATED AT CHOWDAHALLI VILLAGE, KASABA HOBALI, MYSURU TALUK AND DISTRICT, (SL. NO. 92 AND 90 IN PRELIMINARY NOTIFICATION) AND GRANT SAME RELIEF AS IT IS ALREADY PASSED IN SIMILAR W.P. NO.47787/2016 (LA-UDA) DATED 24/10/2016 AND W.P. NO. 47459-461/2018 (LA-UDA) DATED 26/06/2019 VIDE ANNEXURE - E AND E1, RESPECTIVELY 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

Petitioner has sought for setting aside of the preliminary notification dated 04.01.2007 issued by respondent No.2 insofar as the properties of the petitioners in respect of following lands:

Land bearing Sy. No. 61/6 measuring 22 guntas belonging to petitioners 1 to 3; land measuring 2 guntas belonging to petitioner No.4 and the land bearing Sy. No.61/4 measuring 25 guntas belonging to petitioner No.5, all the lands situated at Chowdahalli Village, Kasaba Hobli, Mysore Taluk and District.



2. It is the case of the petitioner that though the preliminary notification issued on 04.01.2007 contains the properties of the petitioners, however, subsequent to such preliminary notification, no further steps have been taken to effectuate the land acquisition proceedings. Accordingly, it is submitted that the land acquisition proceedings may be construed to have been abandoned.

3. Sri. G. M. Anand, learned counsel appearing for the respondents submits that the assertion of the petitioners cannot be controverted and that subsequent to the preliminary notification dated 04.01.2007 no steps have been taken to effectuate the land acquisition proceedings.

4. In light of the absence of any steps by respondents to effectuate the land acquisition proceedings despite lapse of sufficient time, it could be construed that the acquisition proceedings has been abandoned insofar as the properties of the petitioners are concerned.



5. Accordingly, preliminary notification dated 04.01.2007 insofar as the petitioners' lands are concerned is set aside and it is declared that the land acquisition proceedings insofar as the properties of the petitioners are concerned, are lapsed.

6. Writ petition is ***disposed of*** in terms of the above.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

VP