



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. 5577 OF 2026 (LA-UDA)

BETWEEN:

1. SRI. SHANKARA
S/O. MADEGOWDA,
AGED ABOUT 45 YEARS,
R/AT. #96, BADGALAHUNDI,
JAYAPURA HOBLI,
MYSORE TALUK,
MYSORE - 570 026.

... PETITIONER

(BY SRI. KUSUMA M., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HOUSE AND URBAN,
M.S. BUILDING,
BANGALORE - 560 001.
2. MYSORE URBAN DEVELOPMENT AUTHORITY,
JHANSI LAKSHMI BAI ROAD,
MYSORE - 570 005.
BY ITS COMMISSIONER,



3. SPECIAL LAND ACQUISITION OFFICER,
MYSORE URBAN DEVELOPMENT AUTHORITY,
JHANSI LAKSHMI BAI ROAD,
MYSORE - 570 005.

... RESPONDENTS

(BY SRI. HARISH A.S., AGA FOR R1;
SRI T.P. VIVEKANANDA, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER SIMILAR WRIT OR ORDER OR DIRECTION, QUASHING PRELIMINARY NOTIFICATION DATED 15.07.1997, BEARING NO: LAQ CR (1) PR 38/97-98 ISSUED BY THE 3RD RESPONDENT AUTHORITY AT ANNEXURE - A TO THE WRIT PETITION IN SO FAR AS SCHEDULE PROPERTY BELONGING TO THE PETITIONER IS CONCERNED 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 challenged the validity of the preliminary notification dated 15.07.1997 issued by respondent No.3 insofar as the property of the petitioner is concerned. Alternatively, petitioner has sought for a declaration that the land acquisition proceedings initiated by issuance of preliminary notification has been lapsed as no proceedings has been taken to effectuate the land acquisition proceedings.

2. It is submitted that though the property of the petitioner in Sy. No. 255/3A is found in the preliminary notification, in the final notification dated 29.03.2001 the property of the petitioner has not been notified. Accordingly, it is submitted that the proceedings of land acquisition may be declared to have been lapsed.



3. Learned counsel appearing for the respondent – MUDA submits that the property of the petitioner is not found in the final notification.

4. It is noticed that though the preliminary notification is passed in the year 1997 including the property of the petitioner, the final notification passed in the year 2001 does not contain the property of the petitioner and that no other notification has been passed till date. In light of the same, it could be declared that the land acquisition proceedings insofar as the property of the petitioner has been abandoned.

5. Accordingly, the preliminary notification dated 15.07.1997 insofar as the property of the petitioner is set aside while declaring that the proceedings has been abandoned insofar as the property of the petitioner is concerned.



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

**SD/-
(S SUNIL DUTT YADAV)
JUDGE**

VP
List No.: 1 Sl No.: 49