



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. 5495 OF 2026 (LA-UDA)

BETWEEN:

1. SRI. KENCHEGOWDA
S/O. JAVAREGOWDA,
AGED ABOUT 75 YEARS,
R/AT. KERGALLI, JAYAPURA HOBLI,
KERAGALLI POST, MYSORE TALUK,
MYSORE - 570 026.

... PETITIONER

(BY SRI. KUSUMA M., ADVOCATE)

AND:

Digitally signed
by VIJAYA P
Location:
HIGH COURT
OF
KARNATAKA

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 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 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 issued by the 3rd respondent dated 15.07.1997 insofar as the property of the petitioner is concerned. Alternatively, petitioner has also sought for the relief of declaration that the land acquisition proceedings initiated by the 3rd respondent has lapsed.



2. Learned counsel for the petitioner submits that though preliminary notification is passed on 15.07.1997 notifying the property of petitioner in Sy. No.2, the final notification dated 29.03.2001 does not contain the survey number of the petitioner as being notified in the final notification.

3. Sri. G. M. Anand, learned counsel appearing for the respondent - Authority submits that though preliminary notification is passed, the property of the petitioner is not notified in the final notification.

4. Taking note that the preliminary notification is passed on 15.07.1997 and that as regards the same notification, this Court in W.P.No. 34094/2025 has passed orders to the effect that the acquisition proceedings have been abandoned, petition is required to be disposed of.

5. Though preliminary notification is passed on 15.07.1997 notifying the property of the petitioner, in the final notification dated 29.03.2001, the property of the



petitioner is stated to be absent. In light of such submission by the learned counsel appearing for the MUDA and noticing that since 1997 no further steps have been taken to effectuate the land acquisition proceedings, it could be construed that the respondents have abandoned the land acquisition proceedings.

6. Accordingly, petition is ***disposed of*** by declaring that the proceedings initiated by preliminary notification dated 15.07.1997 has lapsed insofar as the petitioner's property is concerned.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

VP