



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. 5327 OF 2026 (LA-UDA)

BETWEEN:

1. SRI. MALLESH
S/O. MADEGOWDA,
AGED ABOUT 49 YEARS,
R/AT. KERGALLI,
JAYAPURA HOBLI, KERAGALLI POST,
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 1. 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 THIRD 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 sought for setting aside of the preliminary notification dated 15.07.1997 issued by respondent No.3 insofar as the property of the petitioner measuring to an extent of 0.06 guntas situated at Keragalli Village, Jayapura Hobli, Mysore Taluk and District. Alternatively, petitioner has sought for a declaration that the land acquisition proceedings initiated by issuance of preliminary notification has lapsed by virtue



of coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. It is submitted that though the property of the petitioner is found in the preliminary notification dated 15.07.1997, the final notification passed on 29.03.2001 does not contain the property of the petitioner. It is further submitted though the preliminary and final notifications are issued, till date no further action is taken by the respondents to conclude the acquisition proceedings. Accordingly, it is submitted that the proceedings be construed to have been abandoned.

3. Sri. T. P. Vivekananda, learned counsel appearing for the respondents submits that the facts as asserted by the petitioner are not controverted.

4. In light of such stand taken by the respondents and taking note that since 1997 no further steps have been taken to effectuate the land acquisition proceedings,



it would be construed that the respondents abandoned the land acquisition proceedings.

5. Accordingly, petition is ***disposed of*** by declaring that the proceedings initiated by Preliminary Notification dated 15.07.1997 has lapsed insofar as the property of the petitioner is concerned.

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

VP