



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

WRIT APPEAL NO. 1056 OF 2025 (LA-BDA)

BETWEEN:

MR. T.RAMA RAO
S/O LATE THIMMAPPAIAH
AGED ABOUT 71 YEARS,
RESIDENT OF PREMISES No.36/1
MALLATHAHALLI, 80 FEET ROAD,
BANGALORE-560056.

**SINCE DECEASED REPRESENTED BY
HIS LEGAL HEIRS**

1. SMT. RATHNAMMA
WO LATE RAMA RAO
AGED ABOUT 80 YEARS.
RESIDING AT SY. NO. 36/1, HOUSE NO. 49,
80FT RING ROAD, 10TH MAIN,
KRISHNA TEMPLE, MALLATHALLI,
BANGALORE 56
2. MR. JAYAPRAKASH. B. R
S/O LATE RAMA RAO,
AGED ABOUT 50 YEARS.
RESIDING AT SY. NO.36/1,
HOUSE NO.49, 80FT RING ROAD,
10TH MAIN, KRISHNA TEMPLE,
MALLATHALLI, BANGALORE-56





3. MR. SATISH KUMAR. B. R
SO LATE RAMA RAO,
AGED ABOUT 47 YEARS,
RESIDING AT SY. NO. 36/1,
HOUSE NO. 49, 80FT RING ROAD,
10TH MAIN, KRISHNA TEMPLE,
MALLATHALLI, BANGALORE-56
4. MR. VASU. B. R
S/O LATE RAMA RAO,
AGED ABOUT 55 YEARS,
OFFICE AT NO.03, PAMPAMAHAKAVI ROAD,
CHAMRAJPET, BANGALORE 560018.
5. SMT. SUDHAMANI
D/O LATE RAMA RAO
AGED 60 YEARS
RESIDING AT RAGHAVENDRA COLONY
1ST CROSS, #17/1,
NEW NO 53 CHAMRAJPET,
BANGALORE-560018.

...APPELLANTS

(BY SRI. P.S.RAJAGOPAL, SENIOR ADVOCATE FOR
SRI. AJIT P B., ADVOCATE)

AND:

1. THE BANGALORE DEVELOPMENT AUTHORITY
CHOWDIAH ROAD, KUMARA PARK WEST,
BANGALORE-560020
REPRESENTED BY ITS COMMISSIONER
2. THE SPECIAL LAND ACQUISITION OFFICER
BDA, CHOWDIAH ROAD, KUMARA PARK WEST,
BANGALORE-560020
3. SRI R. MUNIYAPPA,
SO LATE RAMAIAH,
AGED ABOUT 57 YEARS
RAT NO.16. GAJENDRA NAGARA,
AVALAHALLI. GEF POST, BENGALURU-560026



4. SRI. G. S. SHANTHA KUMAR,
SO LATE SHANKARAPPA,
AGED ABOUT 61 YEARS.
R/AT NO.185, 5TH MAIN,
11TH CROSS, NGEF LAYOUT, NAGARBHAVI.
BENGALURU-560072
5. SMT. N. PREMA KUMARI,
W/O SRI. PUTTAHONNEGOWDA M.H.
AGED ABOUT 50 YEARS.
R/AT NO.537, 9TH MAIN.
M.C. LAYOUT, VIJAYANAGAR,
BENGALURU-560040
6. SMT. CHAITRA S,
W/O SRI. CHANDRASHEKAR.
AGED ABOUT 31 YEARS,
R/AT NO. 15, 1 MAIN,
RHCS LAYOUT, ANNAPOORNESHWARI
NAGAR. VISHWANEEDAM POST,
BENGALURU 560091
7. SMT. JAYAMMA R
W/O T MANJAPPA
AGED ABOUT 58 YEARS,
RESIDING AT NO.702. CHIRANJEEVI,
9TH MAIN ROAD, 9TH BLOCK, 2 STAGE,
NAGARABHAVI LAYOUT,
BENGALURU 560072.
8. DR. N.S.MAMATHA DEVI
W/O DR. MANJUNATH GUPTA
AGED ABOUT 62 YEARS,
RESIDING AT ANJANDRI, 2 MAIN.
SIDDAGANGA LAYOUT.
TUMKUR 572102.
9. MR. H.D.MOHAN KUMAR
SO DHARANI GIWDA
AGED ABOUT 35 YEARS,



RESIDING AT NO.21,
6TH CROSS, PRIYADHARSHINI LAYOUT,
MUDALAPALYA,
BENGALURU 560 072

...RESPONDENTS

(BY SRI. G.S. KANNUR, SENIOR ADVOCATE FOR
SRI. B.S.KARTHIKEYAN, ADVOCATE FOR R1 & R2;
SRI. H.C.SHIVARAMU, ADVOCATE FOR C/R3-R6;
SRI. SANTHOSH S.GOGI, ADVOCATE FOR C/R7;
SRI. G.CHANDRASHEKARAIAH, ADVOCATE FOR R8)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE JUDGMENT /
ORDER OF THE LEARNED SINGLE JUDGE OF THIS HON'BLE
COURT DATED 06/06/2025 IN WP NO.17146-47/2013 AND
CONSEQUENTIALLY ALLOW THE WRIT PETITION BY QUASHING
THE NOTIFICATION DATED 09/09/2003, BEARING NO.NaAE:
749:BBuSva:2003 AS PER ANNEXURE-D TO THE WRIT
PETITION IN SO FAR AS THE APPELLANTS LAND MEASURING 1
ACRE 1 GUNTAS OUT OF 5 ACRES 28 GUNTAS CONVERTED
FOR RESIDENTIAL PURPOSE IN SY.NO.36/1 MALLATHAHALLI
VILLAGE, YESHWANTHPURA HOBLI, BANGALORE NORTH
TALUK, WHICH IS CONVERTED FOR RESIDENTIAL PURPOSE
VIDE OFFICIAL MEMORANDUMS DATED 27/04/1989 IN
SY.NO.36/1 MALLATHAHALLI VILLAGE, YESHWANTHPURA,
HOBLI, BANGALORE NORTH TALUK AND TO QUASH THE
ENDORSEMENT DATED 08/07/2022 IN NO.BDA/LA/145/2022-
23 AS PER ANNEXURE-R TO THE WRIT PETITION, ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment and order dated 06.06.2025 passed by the learned Single Judge in W.P.No.17146/2013 (LA-BDA).

2. The parties are referred to as per their ranking before the writ Court, for the sake of convenience.

3. The aforesaid writ petition was filed with the following prayers :-

"b) Issue Writ of Certiorari quashing the Notification dated 19.09.2003 as per ANNEXURE D in so far as the Petitioner's land [Schedule Property] measuring 5 acres 28 Guntas converted for residential purpose in Sy.No.36/1 Mallathahalli Village, Yeshwanthpura, Hobli, Bangalore North Taluk, which is converted for residential



purpose vide Official Memorandums dated 27.04.1989 in Sy.No.36/1 Mallathahalli Village, Yeshwanthpura, Hobli, Bangalore North Taluk vide ANNEXURE A&B.

- c) *To quash the endorsement dated 8.7.2022 in No.BDA/LA/145/2022-23 as per Annexure-R issued by R1."*

4. The petitioners are the legal representatives of the original petitioner-T. Rama Rao, who died during the pendency of the aforesaid writ petition. The case of the original petitioner before the writ Court was that he was the owner of the land bearing Survey No.36/1, measuring 5 acres 28 guntas of land situated at Mallathahalli Village, Yeshwanthpura Hobli, Bangalore North Taluk. This land was converted before the acquisition proceedings were initiated under the provisions of the Bangalore Development Authority Act, 1976 (for brevity '**the Act**').

5. The Government had issued Notification dated 09.04.2003 under Section 17 of the Act for acquiring certain lands including the subject land for the purposes of



formation of 'Sir M. Vishweshwaraiah Further Extension Layout' followed by Final Notification dated 09.09.2003 under Section 19 of the Act. Though in the said notification, the extent of land in Sy.No.36/1 was mentioned as 6 acres 28 guntas, but the actual land was only 5 acres 28 guntas and that was a typographical error crept in the notification. It is not the case of the petitioner that total extent of Land in Sy.No.36/1 was 6 acres 28 guntas in his ownership.

6. As the land was only 5 acres 28 guntas in Sy.No.36/1 and in final notification only 1 acre 1 gunta was acquired, the Special Land Acquisition Officer issued the endorsement dated 20.01.2004 affirming that the land measuring 5 acres 27 guntas in Sy.No.36/1 was not part of the final notification dated 09.09.2003.

7. According to the petitioner, 5 acres 27 guntas of land was not subject matter of acquisition proceedings as the development charges were sought to be levied on 5



acres 27 guntas of land, which was also as per Final Notification dated 09.09.2003. As the respondent/authorities attempted to enter upon the subject land, he filed writ petition No.19838/2004. When the said writ petition was pending, the Special Land Acquisition Officer, who mistakenly issued the endorsement dated 20.01.2004, vide endorsement dated 30.04.2004 informed him that the earlier endorsement dated 20.01.2004 was withdrawn.

8. The petitioner, therefore, withdrew the writ petition No.19838/2004 with liberty to challenge the endorsement dated 30.04.2004.

9. The petitioner thereafter filed another writ petition No.31322/2004. During the pendency of the said writ petition, the Special Land Acquisition Officer issued notice dated 26.05.2006 in (LAC No.88/2003-2004) under Section 21 of the Act calling upon the petitioner to pay betterment/development charges in a sum of



Rs.95,39,640/- for an extent of 5 acres and 19 guntas of land. It was another mistake as after acquiring the land in an extent of 1 acre 1 gunta the balance unacquired land in Sy.No.36/1 would be only 4 acres 27 guntas.

10. The said writ petition came to be disposed off by this Court on 11.12.2006, reserving liberty to the petitioner to make fresh representation, in view of there being an error in mentioning the extent of land in Survey No.36/1, both in the preliminary notification and final notification.

11. In view of the order passed in the Writ petition No.31322/2004, the petitioner approached the respondents, contending that the total extent of the subject land was only 5 acres and 28 guntas and had even sought clarification with regard to the actual extent of land in Survey No.36/1. He was informed that the appropriate decision for survey of land in Survey No.36/1 would be taken pursuant to the order of this Court dated 11.12.2006 passed in Writ Petition No.31322/2004.



12. Thereafter, the petitioner had filed the writ petition No.17146/2013 (LA-BDA) with the prayers as extracted herein above and during the pendency of the said writ petition, the respondents had issued an endorsement dated 08.07.2022 stating that the endorsement dated 30.04.2004 was withdrawn. As the earlier endorsement dated 20.01.2004 and the survey that was conducted on 09.10.2013 would disclose that an extent of 1 acre and 1 gunta of land was acquired out of 5 acres 28 guntas and the petitioners' representation seeking no objection to the extent of 5 acres and 27 guntas was rejected. In view of the endorsement dated 08.07.2022, petitioner sought for amendment in the writ petition seeking deletion of prayer No.(a) and addition of prayer No.(c) which was allowed, and thus petitioner restricted the relief in the writ petition in respect of prayer No.(b) and (c) as extracted above. In the meanwhile, the petitioner died and his legal representatives were brought on record.



13. It is not in dispute that in the Preliminary Notification dated 09.04.2003 and the Final Notification dated 09.09.2003, the land in Survey No.36/1 was subject matter of acquisition. However, the award was passed on 29.12.2003 for an extent of 1 acre 1 gunta of land and the amount of compensation at the rate of Rs.8,77,252/- per acres was deposited in the City Civil Court on 07.12.2012. The possession of the acquired land had been taken in terms of Section 16(2) of the Act and the same was handed over to the Engineering Section on 09.01.2004.

14. It is not the case of the petitioner that he was the owner of 6 acres 28 guntas of land in Survey No.36/1. The petitioner's own case is that he was the owner of 5 acres and 28 guntas of the land in Survey No.36/1. It is also not in dispute that the land to an extent of 1 acre 1 gunta stands acquired, for which the compensation at the rate of Rs.8,77,252/- per acre was deposited before the City Civil Court.



15. If the land of the petitioner was only to an extent of 5 acres 28 guntas in Survey No.36/1, some typographical error mentioning 6 acres 28 guntas would not increase the land in the said survey and the petitioner would not become the owner of the land to an extent of 6 acres and 28 guntas. As per the final notification dated 09.09.2003, the Government had acquired only 1 acre 1 gunta of land and therefore, the balance land in possession of the petitioner would be only 4 acres 27 guntas. Hence, the petitioner cannot have any right, claim and interest in respect of 1 acre 1 gunta which stood acquired, for which the award was passed on 29.12.2003 and compensation was paid way back on 06.12.2012.

16. For a typographical mistake in the preliminary notification and final notification, mentioning the extent of land as 6 acres 28 guntas in Survey No.36/1, the petitioner cannot take benefit of it and cannot have any claim in respect of 1 acre 1 gunta of land, which stood



acquired. The petitioner's right and claim would be only in respect of 4 acres and 27 guntas of land.

15. The learned Single Judge has considered all aspects of the matter. Therefore, we are of the considered view that petitioners, who are the legal representatives of late T. Rama Rao, have no right, claim and interest in respect of the land measuring 1 acre 1 gunta, which stood acquired.

16. We find no error in the impugned judgment and order dated 06.06.2025 passed by the learned Single Judge rejecting the challenge to the endorsement dated 08.07.2022 and rejecting the representation of the petitioner seeking no objection to the extent of 5 acres 27 guntas of the land in Survey No.36/1.

17. We find no merit and substance in this appeal, which is why we dismiss this appeal.



18. In view dismissal of the appeal, pending interim applications, if any do not survive for consideration, hence stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(S RACHAIAH)
JUDGE**

NG
CT: SN
List No.: 2 SI No.: 5