IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2025

BEFORE

THE HON'BLE MR JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 23683 OF 2016 (LA-RES)

BETWEEN:

1. GANGADHARA
   S/O LATE NARASIMHAIAH
   AGED ABOUT 60 YEARS

2. VIJAYKUMAR
   S/O LATE NARASIMHAIAH
   AGED ABOUT 50 YEARS

3. NARAYANASWAMY
   S/O LATE NARASIMHAIAH
   AGED ABOUT 45 YEARS

   ALL ARE R/AT NO.565,
   MAGALA BEEDHI
   7TH CROSS, DR RAJKUMAR CIRCLE
   KENGERI VILLAGE
   BANGALORE SOUTH TALUK
   BANGALORE-560 060.

...PETITIONERS

(BY SRI. SRIHARI A V.,ADVOCATE)

Digitally signed by SUMA B N
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   REVENUE DEPARTMENT
   M S BUILDING
   BANGALORE-560 001
   REPRESENTED BY ITS PRINCIPAL SECRETARY.

2. THE SPECIAL DEPUTY
   COMMISSIONER(REVENUE)

BANGALORE DISTRICT
K G ROAD
BANGALORE-560 002.

3. THE SPECIAL LAND ACQUISITION OFFICER
V V TOWER, 3RD FLOOR
PHODIUM BLOCK
DR AMBEDKAR ROAD
BANGALORE-560 001.

4. THE BANGALORE WATER SUPPLY
AND SEWERAGE BOARD
CAUVERY BHAVAN
K G ROAD, BANGALORE-560009
REPRESENTED BY ITS SECRETARY.

…RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1-R3;
SRI. G.S. KANNUR SENIOR COUNSEL FOR
SRI. GURUDEVI GACHCHINAMATH., ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF CONSITUTION OF INDIA PRAYING TO DECLARE THAT THE PRELIMINARY NOTIFICATION DATED 16.12.1999 AT ANNEX-A AND FINAL NOTIFICATION DATED 13.02.2001 VIDE ANNEX-B ISSED BY TEH R-1 IN RESPECT OF THE PETITIONERS' LANDS MEASURING 11 GUNTAS IN SY.NO.23/3 AND 7 GUNTAS IN SY.NO.23/4 OF KENGERI VILLAGE, KENGERI HOBLI, BANGALORE SOUTH TALUK AS LAPSED, VITIATED AND NULL AND VOID IN SO FAR AS THE PETITIOENRS'S LANDS ARE CONCERNED AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE M.G.S. KAMAL

ORAL ORDER

Case of the petitioners is that lands measuring 11 guntas in Sy.No.23/3 and 7 guntas in Sy.No.23/4 were purchased by one Rangappa, the grandfather of the petitioners herein under a registered sale deed dated 21.09.1947. That subsequent to the same, all the revenue records were transferred in the name of said Rangappa and after his demise name of the father of the petitioners was mutated in all revenue records. Thus the father of the petitioners and the petitioners continue to cultivate the schedule properties.

2. That on 16.12.1999 preliminary notification under Section 4(1) of Land Acquisition Act, 1894 came to be issued by the respondents for acquisition of 37 acres 24 guntas including the schedule properties for the purpose of establishing a Sewerage Treatment Plant in Stage IV of Cauvery Water Supply Scheme followed by final notification dated 13.02.2001.

3. Though several grounds have been urged in the writ petition, the principal contention of the petitioner is non payment of the compensation amount.

4. Upon the direction of this Court, learned HCGP filed a memo dated 18.02.2025 furnishing a copy of the consent award passed in LAC Nos.185, 186, 210/2000-2001 along with a communication dated 21.02.2004 regarding payment having been made and also a copy of indemnity bond executed by one Smt.Swaranambha having received the compensation. The same is taken on record.

5. Counsel for the petitioners on perusal of the same and on instruction submits that the petitioners do not dispute the payment of the compensation as evidenced by records now produced.

6. In that view of the matter, the other grounds urged in the writ petition do not survive for consideration. Petition is accordingly dismissed.

SD/-
(M.G.S. KAMAL)
JUDGE

RU
List No.: 1 Sl No.: 68