



CNR: KAHC010219762025

NC: 2026:KHC:50458-DB
WP No. 9664 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.9664 OF 2025 (GM-MM S)

BETWEEN:

1. MANJEGOWDA
S/O. ANNAIAH
AGED ABOUT 54 YEARS,
R/AT MALALIKAVALLU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.
2. LATHA
W/O. MANJEGOWDA
AGED ABOUT 45 YEARS,
R/AT MALALIKAVALLU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.
3. NAGARAJE GOWDA
S/O. VAJRE GOWDA
AGED ABOUT 51 YEARS,
R/AT MALALIAVALU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.
4. VIJAYAKUMARI G.R.
W/O. NAGARAJE GOWDA
AGED ABOUT 50 YEARS,
R/AT MALALIAVALU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.



**NC: 2026:KHC:50458-DB
WP No. 9664 of 2025**

CNR: KAHC010219762025

5. PRAJVAL .M
S/O. MANJEGOWDA
AGED ABOUT 26 YEARS,
R/AT MALALIAVALU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.
6. PRASHANTH .M
S/O. MANJEGOWDA
AGED ABOUT 24 YEARS,
R/AT MALALI KAVALU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.
7. KANCHANA .N
D/O. NAGARAJE GOWDA
C/O. CHANDAN K.L.
AGED ABOUT 26 YEARS,
MALALIAVALU VILLAGE,
SHANTHIGRAMA HOBLI, HONGERE,
HASSAN DISTRICT - 573220.

...PETITIONERS

(BY SRI. THUSHANATH C.V., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
(MSME AND MINES)
DEPARTMENT OF COMMERCE AND INDUSTRIES,
VIKAS SOUDHA, 1ST FLOOR,
BENGALURU - 560001.
2. SENIOR GEOLOGIST
DEPARTMENT OF MINES AND GEOLOGY
SATHYAMANGALA,
HASSAN - 573201.
3. DEPUTY COMMISSIONER
D.C. OFFICE,
BANGALORE-MANGALORE ROAD,



CNR: KAHC010219762025

NC: 2026:KHC:50458-DB
WP No. 9664 of 2025

HASSAN - 573201.

4. THE ASSISTANT COMMISSIONER
HASSAN DIVISION,
HASSAN-573201.
5. THE KARNATAKA STATE
POLLUTION CONTROL BOARD,
REGIONAL OFFICE,
AT NISARGA BHAVAN, 2ND FLOOR,
7TH D MAIN, 3RD STAGE,
2ND BLOCK, MANJUNATHA NAGAR,
BANGALORE - 560010.
6. SRI. SANDEEP T.M.
S/O MADHAVA T.K.,
MAJOR IN AGE
R/AT NO.1224, 10TH MAIN ROAD,
3RD PHASE GOKULAM,
MYSORE - 570002.

...RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA FOR R-1 TO R-4;
MS. KRISHIKA VAISHNAV, ADVOCATE FOR
SRI. MAHESH CHOWDHARY ADVOCATE FOR R-5;
SRI. S.S. MAHENDRA, ADVOCATE FOR R-6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE APPROPRIATE WRIT OR ORDER IN THE NATURE OF CERTIORARI OR ANY OTHER WRIT ORDER OR DIRECTION TO QUASH THE IMPUGNED QUARRYING LEASE/ LICENSE DATED 20.08.2024 VIDE NO.HMG-613 AS ANNEXURE-C AND ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA



CNR: KAHC010219762025

NC: 2026:KHC:50458-DB
WP No. 9664 of 2025

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioners state that they are residents of Malalikavalu Village, Shanthigrama Hobli, Hongere, Hassan District, and have been residing there from the past 20 years. The petitioners have filed the present petition, *inter alia*, seeking quashing of the quarrying lease/licence dated 20.08.2024 issued in favour of respondent No.6. The petitioners claim that their residences are situated in close proximity to the quarrying area, and the quarrying activities carried on by respondent No.6 are causing damage to their lands and houses, and polluting the environment.

2. Respondent No.6 applied for a quarrying lease for extraction of building stone in respect of land bearing in Sy.No.103, situated at Malalikavalu Village, Shanthigrama Hobli, Hongere, Hassan District, measuring 2 acres and 35 guntas [**the subject property**]. It is stated that pursuant to the said application, respondent No.2, Senior Geologist, sought a No Objection Certificate [**NOC**] from the revenue authorities. Accordingly, a spot inspection was conducted by the revenue authorities, and it was reported by a letter dated 21.07.2023 that there was no residential building or temple in the



CNR: KAHC010219762025

vicinity of the land and that the villagers had no objection to the grant of a quarrying lease.

3. Thereafter, the petitioners submitted a complaint dated 25.07.2023 objecting to the proposed quarrying activity on the subject land. They also submitted complaints to the District Superintendent of Police, Hassan, on 26.07.2023 and to the Senior Geologist on 27.07.2023. It is stated that, notwithstanding the said complaints, respondent No.3, the Deputy Commissioner, issued a memorandum dated 07.09.2023 permitting conversion of the subject land. Subsequently, on 20.08.2024, a quarrying lease was issued in respect to the subject land.

4. It is further stated that, immediately thereafter, on 20.09.2024, the petitioners again submitted fresh complaints to the Department of Mines and Geology and Minister Mines and Earth Sciences, Government of Karnataka. Additionally, the petitioners submitted another complaint on 15.10.2024 before the Karnataka State Pollution Control Board, Bengaluru [**the KSPCB**]. Aggrieved by the alleged inaction on the said complaints, the petitioners have filed the present petition.



CNR: KAHC010219762025

5. In view of the allegations made, the present petition was taken up for consideration on 17.12.2025 and this Court passed the following order:

"1. The petitioner has filed the present petition praying that the quarry lease/license dated 20.08.2024 granted to respondent No.6 be quashed.

2. The petitioner states that they are residents of Malalikavalu Village, Shanthigrama Hobli, Hongere, Hassan District and they have been residents in the said village for the past 20 years. They state that their lands are located in the immediate vicinity of the land measuring 2 acres and 35 guntas, falling in Survey No.33 of the said village [subject land] and they are aggrieved by the quarrying activities being carried on, in the subject land. It is alleged that the blasting activity carried out for mining has damaged their houses. They also allege that the stone crushing activity being carried out is polluting/has polluted the water sources and the runoff of from the said unit has adversely affected the productivity of their lands.

3. The petitioners have annexed photographs of their houses showing that cracks have developed in the walls of their houses. They have also placed photographs showing silt deposit from runoff of water at the said site.

4. The learned AGA submits that prior to the filing of the present petition, the petitioner had made a complaint, pursuant to which a survey was conducted and it was found that there were no blasting activities and there were no houses in the vicinity of the quarrying site. However, on a pointed query from the Court, the learned counsel appearing for respondent No.6 states that respondent No.6 has an explosive licence and carries on controlled blasting.

5. Clearly the petitioner's complaints are required to be re-examined. We accordingly direct the Senior Geologist, Department of Mines and Geology to examine the site and furnish a report before the next date of hearing.

6. List on 03.02.2026."



CNR: KAHC010219762025

NC: 2026:KHC:50458-DB
WP No. 9664 of 2025

6. In compliance with the said order, respondent No.2 has furnished a report dated 22.01.2026 along with photographs. The said report indicates that the quarry lease [Quarry Lease No.613] was executed in favour of respondent No.6 for extraction of building stone for a period of 30 years with effect from 20.08.2024, after obtaining NOCs from the revenue authorities and the Forest Department, approval from the District Task Force Committee, and the requisite Environmental Clearance. The permission to establish and operate a crusher unit on Government land was also granted in respect of Sy.No.44, measuring 2 acres 15 guntas situated in Mallikawala Village, in the name of Sri Manjunath S/o Lakshmi Gowda, Lakshmi Venkateshwara Stone Crusher, which is valid from 29.01.2021 to 31.03.2040.

7. The report also refers to the complaints mentioned to in the writ petition and states that of the said complaints, only the complaint, dated 27.07.2023 submitted by Sri Manjegowda and a complaint 14.08.2024 submitted by Sri Prajwal, had been received by the office. The report further states that, pursuant to the said complaints, the leased area was inspected on 28.08.2024, during



CNR: KAHC010219762025

which it was found that boundary stones had been fixed, fencing had been erected, and a name board and caution board displaying lease particulars had been installed. It was also found that topsoil had been removed from one side of the leased area. No traces of any mining activity involving the use of explosives were found. Thus, the allegations that explosives were being used and that such activity would disturb the surrounding lands were not supported by the facts noticed during the inspection.

8. The photographs were also submitted to the Deputy Commissioner, Hassan District, Hassan, on 31.08.2024. Subsequently, pursuant to the complaints regarding the quarry operations, the technical officers inspected the leased area along with the villagers on 03.07.2025. It was found that the village was located at a distance of more than 1.4 kilometers from the leased area. It was also reported that Sri Manjegowda's house was situated more than 300 meters away, and Sri Nagarajegowda's house was situated more than 500 meters away. The said houses were also inspected, and it was observed that the mining activities were not causing any damage to the houses. The team further found that the mine waste was stored within the leased area, and



the allegation that such waste was being dumped near roads or drains was found to be incorrect. It was also observed that adjoining agricultural lands were under cultivation and that they were not damaged. The technical team further found that the prescribed safety measures were being followed.

9. The petitioners had also produced photographs to establish that the surrounding areas had been damaged due to the mining activities. However, the report indicates that upon inspection, the Senior Geologist found that the photographs annexed as Annexures-J to J8 were photographs taken inside the crusher unit premises. With regard to the distance from public structures, the report includes a tabular statement indicating the distance of the public structures from the subject land. The said statement is reproduced below:

Sl. No.	Public Structures	As per Act	Actual Distance
1	NH-75	200 m	6.70 km
2	SH-102	200 m	670 m
3	Major District Road / Other Road	100 / 50 m	237 m
4	Village Bandihalli	500 m	1.40 km
5	Malali Temple / Sabbanahalli Temple	500 m	2.20 km
6	Railway	-	1.20 km
7	Canal	-	6.40 km



CNR: KAHC010219762025

8	Tank	-	205 m
9	Chakenalli Katte Mini Reservoir	400 m	4.50 km

10. The above tabular statement indicates that the grant of the quarry licence did not contravene Section 6(1) of the Karnataka Regulation of Stone Crushers Act, 2011.

11. We note that the petitioners belong mainly to two families – families of Manjegowda (petitioner No.1) and Nagarajegowda (petitioner No.3). The memo of parties indicates that petitioner No.2 is the wife of petitioner No.1, while petitioner Nos. 5 and 6 are their sons. Petitioner No.4 is the wife of petitioner No.3, and petitioner Nos.7 is their daughter. However, learned counsel for the petitioners submits that the cause title contains an error and that petitioner No.2 is the wife of the late Manjegowda, who belongs to a different family.

12. The report also indicates that the Senior Geologist measured the distances of the houses of Sri Manjegowda, Smt. Latha, Sri Nagarejegowda, Sri Prajwal and Sri Shivanna from the mining area. The houses were found to be at distances of 395 meters, 590 meters, 560 meters and 380 meters, respectively, from the mining



CNR: KAHC010219762025

area. It was also reported that no damage was found to any of the houses. However, one of the houses was more than 20 to 30 years old.

13. In view of the said report, the authorities concluded that they did not find any merit in the allegations made by the petitioners.

14. The learned counsel for the petitioners contested the said report. He contended that the distances between the leased area and the houses were incorrectly recorded. The said contentions were recorded in the order dated 07.09.2026, and the learned counsel for the petitioners sought time to produce a Google Map image showing the leased area and the location of the houses. The hearing of the present petition was adjourned to enable the petitioner to produce the map. However, the petitioners did not produce any such Google Map. On the other hand, the learned Additional Government Advocate has filed a memo enclosing a Google Earth sketch showing the aerial distance between the leased area and the nearest houses.

15. The said map clearly substantiates the distances recorded in the inspection report.



**NC: 2026:KHC:50458-DB
WP No. 9664 of 2025**

CNR: KAHC010219762025

16. The learned counsel for respondent No.6 submits that the entire objective of the petitioners is to extort money from him.

17. We do not consider it apposite to examine any allegation at this stage. Suffice it to note that the allegations made by the petitioners are not supported by the material produced before this Court.

18. In view of the above, the present petition is dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

AT
List No.: 2 Sl No.: 18