



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF MAY, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO.15607 OF 2026 (GM-MM S)

BETWEEN:

B M SHOUKATH ALI
AGED ABOUT 58 YEARS
S/O B M AHMED BAWA,
R/O SHOUKATH MANZIL,
BLOCK 8, KRINSHNAPURA,
MANGALORE - 575 014.

...PETITIONER

(BY SMT. ANUPARNA BORDOLOI.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY THE DIRECTOR,
DEPARTMENT OF MINES AND GEOLOGY,
KHANIJA BHAVAN,
RACE COURSE ROAD,
BENGALURU - 560 001.
2. SENIOR GEOLOGIST
DEPARTMENT OF MINES AND GEOLOGY,
GROUND FLOOR,
PRAJASUDHA LAYOUT,
MANGALURU-574 265.

...RESPONDENTS

(BY SRI. MOHAMMAD JAFFAR SHAH, AGA)

Digitally signed
by
VIJAYALAKSHMI
B N



Location: HIGH
COURT OF
KARNATAKA



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, 1951 PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE STATE OF KARNATAKA CIRCULAR DATED 25/03/2026 (ANNEXURE-E) TO THE EXTENT IT SEEKS TO REVIEW OF THE EXISTING MINOR MINERAL LEASES WITHOUT FOLLOWING THE PROCEDURE AS CONTEMPLATED UNDER THE MMDR ACT, 1957 AND KMMCR, 1994 AND ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.2 TO CONSIDER THE PETITIONERS REPRESENTATION DATED 13/05/2026 (ANNEXURE-G) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
and
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Petitioner herein is before this Court seeking for the following reliefs:

"a) Issue a writ of certiorari or any other appropriate writ, order or direction quashing the State of Karnataka Circular dated 25.03.2026 (Annexure E) to the extent it seeks to review of the existing minor mineral leases without following the procedure as contemplated under the MMDR Act, 1957 and KMMCR, 1994;

b) Issue a writ of mandamus directing the Respondent No. 2 to consider the Petitioner's representation dated 13.05.2026 (Annexure G);



c) Issue a writ of mandamus directing the Respondents to forthwith unlock and restore the ILMS portal access pertaining to Quarrying Lease No.DSKNS413 dated 27.05.2025 (Annexure C) and permit the Petitioner to generate transport permits for Laterite Grade-A mineral;

d) Issue any appropriate writ, order or direction declaring that the action of the Respondents in blocking the ILMS portal access of the Petitioner without notice or hearing is highly arbitrary, illegal and violative of Article 14, Article 19 (1)(g), Article 21 and Article 300A of the Constitution of India.

e) Issue a writ of mandamus directing the Respondents to permit the Petitioner to continue quarrying and transportation activities in accordance with Quarrying Lease No. DSKNS413 (Annexure C) during the subsistence of the lease period;

f) Direct that in the event of any dispute regarding classification of mineral, samples may be drawn and appropriate determination be made only after affording opportunity of hearing to the Petitioner;

g) Grant such other reliefs as this Hon'ble Court deems fit in the interests of justice and equity".

2. The lis in the present matter has already been considered and decided by a Co-ordinate bench, vide its order dated 30.04.2026 in WP No.14076/2026 and connected matters. Wherein the Co-ordinate Bench has categorically held that until there is a evaluation of the composition of the mineral which is made and it is ascertained that aluminous content is



more than 30%, there could not be any restriction which could be imposed as that done by the circular impugned in the present matter. The Co-ordinate Bench has clarified that, if the concerned authorities come to the conclusion on the basis of the chemical composition that the mineral in question is a major mineral, then they are at liberty to close the ILMS access and take such further steps as warranted in accordance with law and left all the rights and contentions of the parties open.

3. The said decision would be equally applicable to the present matter. Reserving liberty to the respondents to conduct a composition analysis of the mineral as indicated in the order dated 30.04.2026 in WP No.14076/2026 and other connected matters, the above petition stands ***disposed of.***
4. It is needless to say, the respondents are directed to re-open the ILMS to facilitate the access of the



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petitioner to the ILMS until the above actions are completed by the respondents.

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**

**SD/-
(DR.K.MANMADHA RAO)
JUDGE**

GSR
List No.: 1 Sl No.: 13