



CNR: KAHC010580842026

NC: 2026:KHC:47946-DB
WP No. 26093 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD 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. 26093 OF 2026 (GM-MM S)

BETWEEN:

1. SRI CHIKKONU
S/O. MALLANNA
AGED ABOUT 60 YEARS
R/AT KODISHETTIPURA VILLAGE
K. SHETTIHALLI HOBLI
JAKKANAHALLI POST
SRIRANGAPATNA TALUK
MANDYA DISTRICT – 571 807

...PETITIONER

(BY SRI. SRINIVAS V, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF MINES AND GEOLOGY
VIKASA SOUDHA
BENGALURU – 560 001
2. THE JOINT DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY
SOUTHERN REGION
MYSURU – 570 001

Digitally
signed by
AMBIKA H B
Location:
High Court
of Karnataka



CNR: KAHC010580842026

NC: 2026:KHC:47946-DB
WP No. 26093 of 2026

3. THE SENIOR GEOLOGIST /
COMPETENT AUTHORITY
DEPARTMENT OF MINES AND GEOLOGY
MANDYA DISTRICT
MANDYA - 571 430

...RESPONDENTS

(BY SRI. .,ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE ... OF CONSTITUTION OF INDIA PRAYING To ISSUE A WRIT OF CERTIORARI, OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING THE ORDER DATED 13/03/2025 IN REVISION PETITION NO.288/2015 PASSED BY RESPONDENT NO.2, AT ANNEXURE-E AND CONSEQUENTLY, ALLOW REVISION PETITION NO.288/2015 FILED BY THIS PETITIONER AND ETC.

THIS PETITION, COMING ON FOR FINAL 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

ORAL ORDER

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

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 13.03.2025 passed by the Revisional Authority (Joint Director, Department of Mines and Geology, Mysuru) in Revision Petition No.228/2015.

2. The petitioner was granted a stone quarry lease over the land measuring 0.20 acres in Survey No.164 of Siddapura Village, Srirangapatna Taluk, Mandya District on 18.12.2007. The term of



CNR: KAHC010580842026

the lease was 5 years, which expired on 17.12.2012. After expiry of the lease, the petitioner filed an application seeking renewal of the lease on 07.11.2014, which was dismissed by an order dated 14.09.2015 on the ground that it was filed beyond the period stipulated under Rule 21 of the Karnataka Minor Mineral Concession Rules, 1994 [**KMMC Rules**]. Thereafter, the petitioner filed a revision petition (R.P No.228/2015) on 23.09.2015. The said revision petition was dismissed by an order dated 13.03.2025, which is impugned in the present petition. The principal ground for rejecting the petitioner's application for renewal of the lease was that it was filed belatedly.

3. Sub-rule (2) of Rule 21 of the KMMC Rules as was in force at the material time required that the application for renewal be filed on or before 90 days before the expiry of the lease along with a certificate for having cleared the arrears. Admittedly, the application was filed after the lease had expired. Therefore, the decision of the concerned authority to reject the said application cannot be faulted.

4. The learned counsel appearing for the petitioner referred to the proviso to Sub-rule (2) of Rule 21 of the KMMC Rules, inserted



CNR: KAHC010580842026

**NC: 2026:KHC:47946-DB
WP No. 26093 of 2026**

by a notification dated 16.12.2013, and submitted that the application for renewal could be considered even beyond the stipulated period on payment of penalty.

5. Proviso to Sub-rule (2) of Rule 21 of the KMMC Rules which was inserted by a notification dated 16.12.2013 with effect from the said date reads as under:

“Provided further where the application for renewal has been received after the period prescribed in sub-rule (2), it shall be entertained on the payment of the penalties specified below:-

Sl. No.	Period of delay	Amount of penalty
1.	Upto one month	10% of the existing annual dead rent subject to a minimum of Rs.2000.00
2.	Upto two months	15% of the existing annual dead rent subject to a minimum of Rs.3000.00
3.	More than 2 months but before expiry of lease	25% of the existing annual dead rent subject to a minimum of Rs.4000.00

Provided that any renewal applications received after expiry of the above period shall be rejected.”

6. The said proviso is inapplicable for two reasons. First that the same is introduced with effect from 16.12.2013 and may not have any retrospective operation. And, second that a plain reading



CNR: KAHC010580842026

of the proviso indicates that it contemplates entertaining a renewal application which has been filed belatedly but, before the expiry of the lease. The tabular statement under the proviso clearly indicates the maximum penalty of 25% of the existing annual dead rent, subject to a minimum of ₹4,000/-, in the event the delay is more than two months but before the expiry of the lease. The proviso does not contemplate a levy of penalty after the lease has expired. The second proviso to the rule also expressly states that a renewal application received after the expiry of the lease period would be rejected.

7. The petitioner's revision petition was rejected both on merits as well as for the reason that the petitioner, who was present before the revisional authority, had requested that the same be dismissed. The learned counsel appearing for the petitioner submits that the petitioner had made no such request. While we have our reservations in accepting the said contention, we note that it is not necessary to do so. The revision application has been rejected not only on the ground that the petitioner requested so, but also on merits.



**NC: 2026:KHC:47946-DB
WP No. 26093 of 2026**

CNR: KAHC010580842026

8. As noted above, we find no fault in the concerned authority rejecting the petitioner's application for renewal, as it was filed belatedly.

9. The petition is, accordingly, dismissed.

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

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

AHB
List No.: 2 Sl No.: 6