HC-KAR
CNR: KAHC010191382026

NC: 2026:KHC:61539-DB
WP No. 8508 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

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

WRIT PETITION NO. 8508 OF 2026 (GM-MM-S)

BETWEEN:

1. M/S. KARNATAKA STONE CRUSHERS
PARTNERSHIP FIRM
HAVING ITS REGISTERED OFFICE AT
HOSAHALLY OBALAPUR
MADHUGIRI ROAD
TUMKUR – 572 103
REPRESENTED BY ITS PARTNERS

1(a) M.A.A. HAIRS
S/O M.A. MOHAMMED KUNHI HAJI
AGED ABOUT 62 YEARS

1(b) HANEEF
S/O K.M. ABDUL KHADER HAJI
AGED ABOUT 50 YEARS

…PETITIONER

(BY SMT. S. AISHWARYA, ADVOCATE FOR
SRI. RAJESWARA P.N., ADVOCATE)

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

AND:

1. STATE OF KARNATAKA
THROUGH ITS DIRECTORS
DEPARTMENT OF MINES AND GOLOGY

NO.49, KHANIJ BHAVAN
RACECOURSE ROAD
BENGALURU – 560 001

2. DEPUTY COMMISSIONER AND CHAIRMAN
DISTRICT STONE CRUSHER
LICENSING AND REGULAORY AUHORITY
TUMKUR DISTRICT
TUMKUR – 572 101

3. DEPUTY DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY
KHANIJA BHAVAN
SPOORTHI LAYOUT
BADDIHALLI
TUMKUR – 572 104

…RESPONDENTS

(BY SRI K.S. HARISH, GOVERNMENT ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO PASS APPROPRIATE ORDERS OR DIRECTIONS TO THE RESPONDENT AUTHORITIES TO DIRECT GRANT OF QUARRYING LEASE TO THE PETITIONER IN RESPECT OF 3 ACRES OF LAND IN SY.NO.59 OF HOSAHALLI VILLAGE, TUMKUR IN FAVOUR OF THE PETITIONER BY CONSIDERING THE PETITIONER REPRESENTATION DATED 06/03/2026 AT ANNEXURE-G AND ETC.

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

CNR: KAHC010191382026

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,* praying that directions be issued to the respondent - authorities to grant a quarry lease over the land measuring 3 acres falling in Survey No.59 of Hosahalli Village, Tumakuru [**subject land**]. The petitioner also prays that directions be issued to the respondent authorities to consider the representation dated 06.03.2026.

2. The petitioner applied for grant of a quarry lease over the subject land on 04.06.2015. It is stated that the Deputy Conservator of Forests issued a No Objection Certificate [**NOC**] on 02.01.2016. Thereafter, a joint inspection was conducted on 19.03.2016, pursuant to which the concerned authorities communicated their NOC for grant of the quarry lease as sought for by the petitioner. On 05.05.2016, the Inspecting Officer and the Geologist also recommended grant of the quarry lease. However, despite the aforesaid clearances and recommendation, the petitioner's application was not considered on account of

substitution of Rule 8-B of the Karnataka Minor Mineral Concession Rules 1994 [**KMMC Rules**] by virtue of the Karnataka Minor Mineral Concession (Amendment) Rules 2016 which came into effect from 12.08.2016. Rule 8-B was subsequently amended and the amended rule came into effect on 17.03.2023. By virtue of the amended Rule 8B applications filed prior to 12.08.2016 were required to be considered. The guidelines issued by the government required the applications to be considered within a period of 24 months which was subsequently extended further for a period of one year. However, the petitioner's application has not been considered as yet. In the meanwhile on 29.01.2026, one of the partners with the petitioner firm expired. The petitioner has also made a representation dated 06.03.2026 requesting for his application to be considered.

3. The learned Government Advocate submits that the concerned authority would consider the representation of the petitioner as expeditiously as possible.

4. In view of the above, we direct the Deputy Commissioner to consider the petitioner's representation and forward his report to the concerned authority within a period of eight weeks from date.

The concerned authority shall take an appropriate decision as expeditiously as possible and preferably within a period of four weeks thereafter.

5. The petition is disposed of in the aforesaid terms.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(K.S. HEMALEKHA)
JUDGE

AHB
List No.: 1 Sl No.: 12