HC-KAR

NC: 2026:KHC:61542-DB
WP No. 9061 of 2026

CNR: KAHC010203082026

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. 9061 OF 2026 (GM-MM-S)

BETWEEN:

1. M/S. VENKATESHWARA MINERALS
   OFFICE AT NO. 340, BILIGERE POST
   BILIGERE, TIPTUR TALUK
   TUMKURU DISTRICT - 572 114
   REPRESENTED BY ITS PROPRIETOR
   SRI B. PRATHAP SINGH
   S/O SRI R. BALAJI SINGH
   AGED ABOUT 56 YEARS

...PETITIONER

(BY SRI BHAT GANAPATHI NARAYANA, ADVOCATE)

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

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY ITS PRINCIPLE SECRETARY
   COMMERCE AND INDUSTRIES
   DEPARTMENT OF COMMERCE
   VIKASA SOUDHA
   BENGALURU - 560 001

2. THE DIRECTOR
   DEPARTMENT OF MINES AND GEOLOGY
   KANIJA BHAVAN
   BENGALURU - 560 001

3. THE DEPUTY DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY
TUMKUR DISTRICT
TUMKUR - 572 105

4. THE DEPUTY COMMISSIONER
TUMKUR DISTRICT
TUMKURU - 572 105

…RESPONDENTS

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

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF MANDAMUS OR ANY APPROPRIATE DIRECTION DIRECTING THE RESPONDENTS TO CONSIDER THE PETITIONER APPLICATION DATED 21/10/2013, AS PER ANNEXURE-A, AND GRANT THE QUARRY LEASE IN FAVOUR OF THE PETITIONER IN RESPECT OF THE SCHEDULE PROPERTY WITHIN A TIME FRAMED PERIOD & 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

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 concerned respondents to consider the petitioner's application dated 21.10.2013 for grant of a quarry lease for extracting building stone in the land measuring 4 acres

falling with Survey No.18 at Veerankal Kavalu, Tiptur Taluk, Tumakuru District [**subject land**].

2. It is stated that the Forest Department issued No objection Certificate [**NOC**] on 03.12.2014. The Tahsildar had also furnished a report dated 19.03.2015 confirming that the subject land does not belong to the Forest Department. Thereafter, the Assistant Commissioner, Village Accountant and the Taluk Survey Officer conducted a joint inspection on 31.05.2016 and reported that the subject land was suitable for quarrying operations. Notwithstanding the aforesaid reports and clearances, the petitioner's application remained unconsidered.

3. In the aforesaid circumstances, the petitioner filed a writ petition, being W.P No.826/2018, which was disposed of by an order dated 28.05.2018 directing the respondents to consider the petitioner's application and pass appropriate orders. Thereafter, on 03.10.2018 respondent No.3 rejected the petitioner's application. The said order was successfully challenged by the petitioner in W.P No.57302/2018. By an order dated 06.04.2022, the said rejection order was set aside and the concerned authorities were

directed to reconsider the petitioner's application afresh in accordance with law. The petitioner is essentially aggrieved as his application has not been considered as yet.

4. The learned Government Advocate states that the concerned authority shall consider the petitioner's application expeditiously.

5. In view of the above, we direct the concerned jurisdictional Deputy Commissioner to forward the report to the concerned authorities of the Department of Mines and Geology within a period of eight weeks from date. The concerned authority shall consider the petitioner's application and communicate the decision within a period of four weeks thereafter.

6. 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.: 13