IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 9555 OF 2026 (GM-MM S)

BETWEEN:

SMT. ROOPA SALOMI
W/O B. RAJU,
AGED ABOUT 55 YEARS,
R/AT NO. 48, ORDINANCE ROAD,
FORT, BALLARI TOWN AND TALUKA
BALLARI DISTRICT - 583 101

...PETITIONER
(BY SRI. RAVEENDRA GAJANAN KOLLE, ADVOCATE)

Digitally signed by NIRMALA DEVI
Location: HIGH COURT OF KARNATAKA

AND:

1. THE STATE OF KARNATAKA
   REP. BY ITS CHIEF SECRETARY,
   BENGALURU - 560 001.
   EMAIL: CS@KARNATAKA.GOV.IN

2. THE DIRECTOR AND COMMISSIONER,
   DEPARTMENT OF MINES AND
   GEOLOGY,
   KHANIJ BHAVAN,
   RACE COURSE ROAD,
   BENGALURU - 560 001.
   EMAIL: DIR-MINES@KARNATAKA.GOV.IN

3. THE ADDITIONAL DIRECTOR AND
REVISING AUTHORITY,
DEPARTMENT OF MINES AND GEOLOGY,
NAGARABHIVRUDHI
PRADHIKARA BUILDING,
MOTI CIRCLE,
BALLARI - 583 101
EMAIL: ADDMINDMG@GMAIL.COM

4. THE DEPUTY DIRECTOR AND
COMPETENT AUTHORITY,
DEPARTMENT OF MINES
AND GEOLOGY,
KARANATAKA JALAMANDALI BUILDING
CANTONMENT,
BALLARI- 583 104
EMAIL: SGMMBLY@GMAIL.COM

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

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR AN OTHER ORDER OR DIRECTION DIRECTING TO QUASH OR SET ASIDE THE IMPUGNED ORDER DATED 12.12.2025 BEARING NO. GABHUE-HENIBA-UVA-PARISHKARANE-17-24-25/2025-26/2434A1 PASSED BY THE 3RD RESPONDENT REVISING AUTHORITY AND/OR AS PER ANNEXURE-A 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 MR. JUSTICE C.M. POONACHA

ORAL ORDER

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

1. The petitioner has filed the present petition impugning an order dated 12.12.2025 passed by respondent No.3 (revisional authority) rejecting the revision petition preferred by the petitioner under Rule 53 of the Karnataka Minor Mineral Concession Rules, 1994 [**KMMC Rules**].

2. The petitioner had made an application for a quarry lease [application bearing AQL No.119/2011-12] over an extent of 2 acres of Government land falling in Sy. No. 183 of Kodalu Village, Sandur Taluk, Ballari District. Apparently, the said application was processed for the grant of a quarry lease covering 1.15 acres. On 14.09.2017, the grant notification under Rule 27 of the KMMC Rules was issued in Form GL. However, the quarry lease was not executed within the prescribed time.

3. The facts as set out in the petition and noted in the impugned order indicate that the petitioner had, after the notification of grant, taken steps to furnish the quarry plan and obtain the Environment Clearance Certificate. At this stage, on 10.03.2021, the revenue department issued an opinion stating that 'B' Kharab Government lands could not be granted for quarrying purposes.

4. The petitioner states that, based on the said opinion, an endorsement dated 27.12.2021 was issued, rejecting the petitioner's application for a quarry lease. The petitioner did not take any immediate steps to avail himself of his remedies in respect to the said endorsement. However, he filed a revision petition on 10.07.2024, which was dismissed by the impugned order.

5. The facts as set out in the present petition raise several questions. First, whether any direction to execute the quarry lease could be issued at this belated stage. The revision petition was filed more than 7 years after the judgment. Second, whether the revision petition ought to have been entertained, as it was filed after a delay of almost four years.

6. The revisional authority has proceeded solely on the basis that quarry lease in respect of 1.15 acres could not be executed by virtue of Rule 15-A of the KMMC Rules as amended by the Karnataka Minor Mineral Concession (Amendment) Rules, 2023 which came into effect from 17.03.2023. However, a plain reading of the said Rule indicates that it proscribes grant of a lease or a license with an extent less than the minimum area as specified in Schedule II-A in respect to the concerned mineral.

7. As noted above, in the present case, there is no dispute regarding the grant of a quarry lease; it was granted on 14.09.2017. Rule 15A of the KMMC Rules does not apply. This is because it proscribes the grant of a lease and not the execution of a lease deed. *Prima facie*, the grant of lease prior to 17.03.2023 would not fall within the rigour of Rule 15 of the KMMC Rules. This question has not been considered by the Revisional Authority.

8. In view of the above, we consider it apposite to set aside the impugned order and remand the matter to the Revisional Authority to consider afresh. In the first instance, the Revisional Authority shall consider the question of maintainability of the revision petition. If the revisional authority comes to the conclusion that the revision

petition is required to be entertained, he will examine merits of the case.

9. The present petition is disposed of in the aforesaid terms.

SD/-
(VIBHU BAKHRU)
CHIEF JUSTICE

SD/-
(C.M. POONACHA)
JUDGE

BS
List No.: 2 Sl No.: 23