IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH 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. 13264 OF 2026 (GM-MM-S)

BETWEEN:

1. T.C. DEVARAJU
   AGED ABOUT 45 YEARS
   R/AT TORANAKAMBADAHALLI VILLAGE
   BELAMARANAHALLI POST
   VEMGAL HOBLI, KOLAR TALUK
   KOLAR DISTRICT - 563 133

…PETITIONER

(BY SRI RAVEENDRA GAJANAN KOLLE, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REP. BY ITS CHIEF SECRETARY
   ROOM NO.320, VIDHAN SOUDHA
   BENGALURU - 560 001

2. THE SECRETARY TO GOVT.
   DEPT. OF COMMERCE AND
   INDUSTRIES (MINES)
   ROOM NO.135, VIKASA SOUDHA
   BENGALURU - 560 001

3. THE DIRECTOR AND COMMISSIONER
   DEPT. OF MINES AND GEOLOGY
   KHANIJ BHAVAN

Digitally signed by VEERENDRA KUMAR K M
Location: High Court of Karnataka

RACE COURSE ROAD, BENGALURU
BENGALURU - 560 001

4. THE DEPUTY DIRECTOR
AND COMPETENT AUTHORITY
DEPARTMENT OF MINES AND GEOLOGY
ROOM NO.S3 AND S3A, 2ND FLOOR
ZILLA ADALITH BHAVAN
KUMBARAHALLI
KOLAR DISTRICT - 563 103

5. THE DISTRICT TASK FORCE
COMMITTEE (MINES)
KOLAR DISTRICT
REP. BY ITS CHAIRMAN -
THE DEPUTY COMMISSIONER
KUMBARAHALLI, MULABAGAL ROAD
NH-75, KOLAR - 563 101

6. THE DEPUTY COMMISSIONER
KOLAR DISTRICT, KUMBARAHALLI
MULABAGAL ROAD
NH-75, KOLAR - 563 101

7. THE ASSISTANT COMMISSIONER
KOLAR REVENUE SUB-DIVISION
NEAR COURT CIRCLE
KOLAR - 563 101

...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 A WRIT OF MANDAMUS OR ANY OTHER ORDER OR DIRECTION DIRECTING THE 4TH RESPONDENT DEPUTY DIRECTOR TO PROCESS THE PETITIONER'S QUARRY LEASE APPLICATION

DATED 11/11/2025 PRODUCED AT ANNEXURE-A, STRICTLY IN ACCORDANCE WITH RULE 3-F OF THE KMMC RULES, 1994, BY PLACING THE SAME BEFORE 5TH RESPONDENT DISTRICT TASK FORCE (MINES) COMMITTEE IN ITS NEXT MONTHLY MEETING AS ALSO OBTAIN REQUISITE OPINION OR CLEARANCES FROM CONCERNED DEPARTMENTAL OFFICERS, INCLUDING JOINT INSPECTION IN A TIME-BOUND PERIOD AND FURNISH THE SAME THROUGH 6TH RESPONDENT DEPUTY COMMISSIONER WITHOUT INSISTING UPON THE PETITIONER TO PROCURE SUCH NO OBJECTION CERTIFICATE/OPINION 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. Issue notice.

2. The learned Government Advocate accepts notice for the respondents.

3. The petitioner has filed the present petition, *inter alia,* praying as under:

> "A. Issue a writ of Mandamus or any other order of direction directing the 4th Respondent Deputy Director to process the Petitioner's Quarry Lease Application

> dated 11.11.2025 produced at ANNEXURE-A, strictly in accordance with Rule 3-F of the KMMC Rules, 1994, by placing the same before 5th Respondent District Task Force (Mines) Committee in its next monthly meeting as also obtain requisite opinion or clearances from concerned Departmental Officers, including Joint Inspection in a time-bound period and furnish the same through 6th Respondent Deputy Commissioner without insisting upon the Petitioner to procure such No Objection Certificate/Opinion; and/or
>
> B. Pass any such other Orders as this Hon'ble Court deems as fit and proper to meet the ends of justice."

4. The petitioner's grievance is that his application for quarry lease has not been placed before the District Task Force (Mines) Committee as required under Rule 3-F of the Karnataka Minor Mineral Concession Rules, 1994 [**KMMC Rules**].

5. The petitioner contends that there is no requirement for the petitioner to obtain separate no objections [**NOCs**] from various departments. He submits that in terms of Rule 3-F of the KMMC Rules, the consents and NOCs are required to be obtained at the meeting of the District Task Force (Mines).

6. Concededly, the question raised by the petitioner is covered by the decision of this Court in **Rajappa v. The State of Karnataka**[1]. The relevant extract of the said decision is set out below.

[1] NC: 2026:KHC:19228-DB

"7. It is now the petitioner's case that there is no procedure for issuance of a separate NOCs. He relies on sub-rule (6) of Rule 3F of the KMMC Rules. Sub-rule (1), (2) and 6 of Rule 3F is reproduced below:

> **"3-F. Exemption of certain rules in case of ordinary building stone.**-(1) Notwithstanding anything contrary contained in Chapter IV-A, quarry leases of extent five acres and below in case of individuals and 10 acres and below in case of Registered societies having all the members belonging to the Schedule Caste or Schedule Tribes or having all members who are traditional quarry operators and whose livelihood is dependent on quarrying for ordinary building stone in the lands belonging to the State Government, shall be allotted following procedure prescribed under this rule.
>
> (2) Blocks of ten acres and below identified by the jurisdictional Deputy Director or Senior Geologist shall be notified by him, after approval in the District Task Force Committee, in any two newspapers having wide circulation, of which at least one shall be in Kannada, inviting applications for grant of quarry lease specifying the area available for grant of quarrying lease, reservation of the block and its location with boundaries:
>
> Provided that such notification shall be published at least thirty days prior to the last date for receiving such applications.
>
> (3) *** *** ***
>
> (4) *** *** ***
>
> (5) *** *** ***
>
> (6) Without prejudice to sub-rule (5) above, quarrying lease shall be granted under this rule to eligible applicant by way of lottery, if more than one application is received amongst the categories specified in sub-rule (4) above."

8. It is apparent from the plain reading of the aforesaid Rule that the opinion of the concerned Department, as specified in Rule 8(5) of the KMMC Rules, is required to be obtained at the monthly meetings of the District Task Force

(Mines) Committee. We may note that the provisions under Rule 3(F) concern exemption from certain rules in case of ordinary building stones. This is a special provision that establishes a fast-track procedure requiring the requisite opinions to be placed before the District Task Force (Mines) Committee. This is a departure from the procedure of different authorities seeking communications for issuance of 'No Objection Certificate' as required under Rule 8(5). By virtue of Sub-rule 6 of Rule 3F, separate communications eliciting or communicating NOCs are not necessary. Once the application has been set down for consideration at the monthly meeting of the District Task Force (Mines) Committee, which includes representatives of all Departments, the necessary opinions must be communicated at that meeting. This would facilitate an immediate decision.

9. In view of the above, we direct the respondents to ensure that the petitioner's application is placed before the District Task Force (Mines) Committee at the ensuing meeting."

7. In view of the above, the present petition is disposed of by directing the respondents to place the petitioner's application for consideration before the District Task Force (Mines) Meeting, Kolar (respondent No.5) at the ensuing meeting.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

KMV
List No.: 2 Sl No.: 23