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. 13280 OF 2026 (GM-MM_S)

BETWEEN:

SMT. LATHA. K
W/O SANJEEV RAJU G
AGED ABOUT 57 YEARS
NO.144, 2ND MAIN,
4TH CROSS ROAD NAGAPPA BLOCK,
SRIRRAMPURAM
BENGALURU - 560 021.
AND ALSO AT M/S. APOORVA ENTERPRISES
NO.19/1, 2ND FLOOR,
1ST MAIN ROAD, 14TH CROSS
NEAR VYALIKAVAL GROUND,
VYALIKAVAL BENGALURU - 560003.

Digitally signed by NIRMALA DEVI
Location: HIGH COURT OF KARNATAKA

...PETITIONER

(BY SRI. VINAYAKA V S, ADVOCATE)

AND:

1. GOVERNMENT OF KARNATAKA
   REP. BY ITS SECRETARY
   DEPT. OF COMMERCE AND INDUSTRIES
   VIKASA SOUDHA, 1ST FLOOR
   DR. AMBEDKAR VEEDHI
   BENGALURU - 560 001

2. STATE OF KARNATAKA
REP. BY ITS SECRETARY
DEPT. OF FORESTS,
ECOLOGY AND ENVIRONMENT
4TH FLOOR, M.S. BUILDING
DR. AMBEDKAR VEEDHI
BENGALURU - 560 001.

3. THE DIRECTOR OF MINES AND GEOLOGY
DEPT. OF MINES AND GEOLOGY
KHANIJA BHAVAN, 5TH FLOOR
RACE COURSE ROAD
BENGALURU - 560 001

4. THE PRINCIPAL CHIEF
CONSERVATOR OF FORESTS
ARANYA BHAVAN
18TH CROSS, MALLESHWARAM
BENGALURU - 560 003

5. UNION OF INDIA
REP. BY ITS SECRETARY
MINISTRY OF ENVIRONMENT
FORESTS AND CLIMATE CHANGE
PARYAVARAN BHAWAN
CGGO COMPLEX, LODHIA ROAD
NEW DELHI - 110 003.

…RESPONDENTS

(BY SRI. K.S. HARISH, GOVERNMENT
ADVOCATE FOR R1 TO R4
MS. AJAY PAL SINGH, ADVOCATE FOR
MS. ANUPARNA BORDOLOI, CGC FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION, DIRECTING THE RESPONDENT NO.2 AND 4 TO EXPEDITIOUSLY

CONSIDER THE APPLICATION NO.AML 1372 DATED 20/09/2010 FILED BY THE PETITIONER UNDER ANNEXURE - A AND PASS SUITABLE ORDER TO GRANT MINING OF IRON ORE OVER AN AREA OF 226.20 HECTARES OF FOREST LAND AT KUMARASWAMY RANGE DHARAMAPURA, SANDUR TALUK, BELLARY DISTRICT IN ACCORDANCE WITH THE PROVISION OF MMDR (AMENDMENT) ACT, 2015 IN THE INTEREST OF JUSTICE AND EQUITY.

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 as a public interest litigation, *inter alia,* praying that direction be issued to respondent Nos.2 to 4 to consider the petitioner's application dated 29.01.2010 for grant of a mining lease in respect of iron ore over an area of 226.20 Hectares of the forest land at Kumaraswamy Range Dharamapura, Sandur Taluk, Bellary District in accordance with the provisions with the Mines and Minerals (Development and Regulation) Amendment Act, 2015 [MMDR Amendment Act] in the interest of justice.

2. The petitioner filed an application No.AML 1372 for grant of mining lease in question. However, the State Government has not forwarded its recommendations to the Central Government for granting the mining lease. The learned counsel for the respondent submits that by virtue of the Mines and Minerals (Development and Regulation) Act, 1952 [**MMDR Act**] as amended by the MMDR Amendment Act, no mining lease can be granted for the specified mineral without the approval of the Central Government. He submits that the same would be possible only if the petitioner's application is processed and is recommended by the State.

3. By virtue of Section 10A of the MMDR Act, all applications received prior to the date of commencement of the Amendment Act, became ineligible. Thus, ex-facie the petitioner's application is no longer eligible to be considered. Notwithstanding the same, the learned counsel for the petitioner submits that the petitioner is covered under the exception is provided by virtue of the proviso to Section 10A(2)(c) of the MMDR Act.

4. The said contention is insubstantial as the proviso refers to Section 10A(2)(b) of the MMDR Act, which concerns a case where

an applicant has already been granted a reconnaissance permit or a prospecting licence. None of the exceptions as set out in Section 10A(2) are applicable.

5. Thus, the petitioner's application for mining lease is not saved from the rigours of Section 10A(1) of the MMDR Act.

6. The petition is accordingly dismissed.

7. All pending applications are also disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

Vmb
List No.: 2 Sl No.: 24