HC-KAR

NC: 2026:KHC:59662-DB
WP No. 18483 of 2026

CNR: KAHC010410342026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

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

WRIT PETITION NO. 18483 OF 2026 (GM-MM-S)

BETWEEN:

1. SRI B. HANUMANTHAPPA
   AGED ABOUT 64 YEARS
   S/O LATE C.M. BYANNA
   R/A DHANAVAHALLI VILLAGE
   NARASAPURA HOBLI
   KOLAR TQ. AND DIST.
   PIN - 563 133

…PETITIONER

(BY SRI NATARAJA BALLAL A., ADVOCATE)

AND:

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

1. STATE OF KARNATAKA
   DEPARTMENT OF COMMERCE AND INDUSTRIES
   VIKHASA SOUDHA
   BENGALURU - 560 001
   REP. BY ITS PRINCIPAL SECRETARY

2. DEPARTMENT OF MINES AND GEOLOGY
   KHANIJA BHAVAN, RACE COURSE ROAD
   SESHADRIPURAM, BENGALURU - 560 001
   REP. BY ITS DIRECTOR

3. THE CHAIRMAN AND DEPUTY COMMISSIONER
DISTRICT TASK FORCE (MINES) COMMITTEE
KOLAR TALUK AND DISTRICT - 563 101

4. DEPUTY DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY
SOUTH ZONE, MYSORE - 570 022

5. THE SENIOR GEOLOGIST
DEPUTY DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY
OFFICE OF THE SENIOR GEOLOGIST
DEPARTMENT OF MINES AND GEOLOGY
JILLA ADALITHA BHAVANA
KOLAR - 563 101

5. SRI DEVARAJA T. C.
AGED ABOUT 46 YEARS
S/O CHIKKAMUNIYAPPA
R/AT NO.1, THORANAKOMBADAHALLI VILLAGE
BELAMARANAHALLI POST
KOLAR – 563 133

…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 TO THE RESPONDENT NOS.3 AND 5 TO CONSIDER THE APPLICATION OF THE PETITIONER DATED 14/02/2025 (ANNEXURE-A) IN THE NEXT MONTHLY MEETING IN A TIME BOUND MANNER & ETC.

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

CNR: KAHC010410342026

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 as under:

> (a) Call for the records;
>
> (b) Issue a writ of mandamus to the respondent Nos.3 and 5 to consider the application of the petitioner dated 14/02/2025 (annexure-A) in the next monthly meeting in a time bound manner;
>
> (c) Award costs of this proceedings;
>
> (d) Pass such other order or orders as this Hon'ble Court deems fit in the facts and circumstances of the case in the interest of justice and equity.

2. The petitioner had filed an application for grant of quarry license in Survey No.7 of Thoranakambadahalli Village, Vemgal Hobli, Kolar Taluk and District to the extent of 3-00 acres on 21.02.2012. The said application (06 AQL 2012) had been rejected on account that the applied area was overlapping with area already granted under a quarry license in 1991 to Dr. R.Munireddy, which

was later subleased to M/s. Nagashree Stone Suppliers (a partnership firm). The petitioner has also exhausted all the remedies against the said rejection including by assailing rejection before this Court. The petitioner had also filed suits which had been withdrawn.

3. The learned counsel appearing for the petitioner states that the present petition is confined to seeking a direction to the authorities to consider his application dated 14.02.2025 for grant of quarry lease to the extent of 1 acre 15 guntas in the very same survey number (Sy.No.7).

4. According to the petitioner, the earlier license in same survey number granted to Dr. R.Munireddy (thereafter subleased to M/s. Nagashree Stone Suppliers, of which respondent No.6 was one of the partners), ultimately has expired and therefore there is no impediment in granting quarry lease over an extent of 1 acre 15 guntas in Sy.No.7 as applied for by the petitioner.

5. The learned Government Advocate submits that the petitioner's application would be considered within a period of two months from date.

6. In view of the above, the present petition is disposed of by directing the concerned authorities to consider the petitioner's application in accordance with law as expeditiously as possible, preferably within the period of two months from date.

7. We clarify that this order will not be construed as an expression of opinion as to the petitioner's claim regarding the said land or that any other person including respondent No.6 is disentitled for the said land. The concerned authority shall decide the application in accordance with law.

8. Petition is, disposed of, in the aforesaid terms.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(K.S. HEMALEKHA)
JUDGE

KMV
List No.: 2 Sl No.: 18