HC-KAR

NC: 2026:KHC:60176-DB
WP No. 32781 of 2026

CNR: KAHC010722032026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH 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. 32781 OF 2026 (GM-MM-S)

BETWEEN:

1. M/S SKANDA ROCKS
(FORMERLY M/S SHIVASHAKTI ENTERPRISES)
BEING A PARTNERSHIP FIRM UNDER
THE INDIAN PARTNERSHIP ACT
HAVING ITS REGISTERED OFFICE AT
SY NO.113, NO.2, SHIVANAHALLI PANCHAYATH
ARALALU VILLAGE
RAMANAGARAM – 562 117
REPRESENTED BY ITS PARTNER
MR. K. SRINIVAS

…PETITIONER

Digitally signed by K P SWETHA
Location: High Court of Karnataka

(BY SRI NAGESH PUTTIGE, SENIOR ADVOCATE A/W
MS. VIDYA PAI, ADVOCATE FOR
SMT. NAYANA TARA B.G., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
COMMERCE AND INDUSTRIES DEPARTMENT
(MSME AND MINES)
VIKASA SOUDHA
BANGALORE – 560 001

2. DISTRICT TASK FORCE COMMITTEE
(SINGLE WINDOW AGENCY)
REPRESENTED BY ITS CHAIRMAN AND
EX-OFFICIO DEPUTY COMMISSIONER
RAMANAGARA DISTRICT
RAMANAGARA - 562 159

3. DEPUTY DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY
1ST FLOOR, PANCHAYAT BHAVANA
RAMANAGARA - 562 159

4. DEPUTY CONSERVATOR OF FOREST
REGIONAL OFFICE
RAMANAGARA - 562 159

…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 DECLARE THAT THE APPLICATION DATED 08/12/2014 MADE BY THE PETITIONER FOR QUARRY LEASE FOR BUILDING STONE (M-SAND) OVER 21 ACRES IN SY.NO.30 IN CHIKKAMUDAVADI VILLAGE PRODUCED AT ANNEXURE-A IS ELIGIBLE TO BE CONSIDERED AS PER RULE 8-B(1) OF THE KARNATAKA MINOR MINERAL CONCESSION RULES, 1994 AS AMENDED BY THE KARNATAKA MINOR MINERAL CONCESSION (AMENDMENT) RULES 2023 AND BROUGHT INTO EFFECT BY NOTIFICATION NO.CI-MMN/205/2022 DATED 17/03/2023 & ETC.

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

CNR: KAHC010722032026

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*, seeking a declaration that the petitioner's application dated 08.12.2014 for quarry lease for building stone (M-sand) over an area of 21 acres falling in Survey No.30 in Chikkamudavadi Village is eligible for being considered as per Rule 8-B(1) of the Karnataka Minor Mineral Concession Rules, 1994 [**KMMC Rules**] as amended by the Karnataka Minor Mineral Concession (Amendment) Rules 2023. Additionally, the petitioner prays that Survey No.30 in Chikkamudavadi Village, Kasaba Hobli, Kanakapura Taluk be declared as not being a deemed forest, and accordingly, respondent No.4 be directed to issue a No Objection Certificate (NOC) to that effect.

2. The petitioner had applied for a quarry lease on 08.12.2014. The concerned officer of the Mines and Geology Department had sought a report from the Revenue and Forest Department by a

letter dated 22.08.2015. It is stated that a joint inspection was conducted and initially, the District Task Force Committee had deferred the application for want of Forest Department's report. However, on 11.01.2016, the District Task Force Committee recommended that the petitioner's application be rejected. Accordingly, on 28.03.2016, respondent No.3 rejected the petitioner's application seeking to impugn the respondents' decision to treat the said area as a deemed forest.

3. Thereafter, the petitioner filed a writ petition, W.P.No.35273/2019 (GM-MM-S), challenging the order rejecting its application. This court dismissed the said petition by an order dated 20.01.2022 on the ground that the petitioner's application was rejected as it was not saved under Rule 8B of the KMMC Rules, 1994 as amended by the Karnataka Minor Mineral Concession (Amendment) Rules 2016 which came into force on 12.08.2016.

4. The KMMC Rules were subsequently amended by the Karnataka Minor Mineral Concession (Amendment) Rules, 2023 with effect from 17.03.2023 and the applications which were not

saved under the Karnataka Minor Mineral Concession (Amendment) Rules 2016 were also eligible for being considered.

5. Taking cue from the said amendment, the petitioner filed a representation dated 21.03.2023 before respondent No.3 seeking reconsideration of its application for a quarry lease. Two years later that is, on 23.05.2025, the petitioner requested the Forest Department to conduct a joint survey. It also made a similar request to respondent No.2. Since its representation was not considered, the petitioner has filed the present petition.

6. It is apparent from the above that the rejection of the petitioner's application became final more than ten years ago, that is, on 28.03.2016. The petitioner now seeks to resuscitate its application on the ground that the land falling in survey No.30 has not been set out as deemed forest in the affidavit filed before the Supreme Court in **T.N.Godavarman Thirumulpad v. Union of India** in W.P.(C).No.202/1995 and in the Government Order dated 21.05.2022.

7. We find no merit in the present petition. The petitioner's application had been closed more than a decade ago, and we are unable to accept that the same can be resuscitated by filing a representation and following it up by filing a writ petition before this court.

8. If the petitioner seeks a quarry lease, it would necessarily have to make an application under the law as it now stands, provided it is permissible for the petitioner to so apply.

9. The petition is accordingly dismissed.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(K.S. HEMALEKHA)
JUDGE

KPS
List No.: 2 Sl No.: 2