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NC: 2026:KHC:11591-DB
WP No. 4816 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

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

WRIT PETITION NO. 4816 OF 2026 (GM-MM-S)

BETWEEN:

1. SRI HAROON K
S/O MOOSA KANHI
AGED ABOUT 63 YEARS
R/AT FLAT NO. 12, BHYARI MELENSIA
KANKANADI, MANGALORE - 575 002

...PETITIONER

(BY SRI SACHIN B.S., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF MINES AND GEOLOGY
MULTI STORIED BUILDING
DR. B.R. AMBEDKAR VEEDHI
BENGALURU - 560 001
2. SENIOR GEOLOGIST
DEPARTMENT OF MINES AND GEOLOGY
GROUND FLOOR, PRAJA SOUDHA
MANGALURU
DAKSHINA KANNADA - 575 007

...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 APPROPRIATE WRIT, ORDER OR DIRECTION, THEREBY DIRECTING THE RESPONDENTS TO PERMIT THE PETITIONER TO RE-OPEN AND CONTINUE THE QUARRY BUSINESS PURSUANT TO QUARRY LEASE No. DKD-227 AND DKD-228 BY DULY CONSIDERING THE REPLY/ REPRESENTATION DATED 03.01.2026 SUBMITTED BY THE PETITIONER PURSUANT TO THE NOTICE DATED 26.12.2025, AS PER ANNEXURE-A AND ANNEXURE-A1, RESPECTIVELY, AND PASS APPROPRIATE ORDERS IN ACCORDANCE WITH LAW & 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 petitioner has filed the present petition, *inter alia*, praying that the petitioner be permitted to reopen and continue quarry activities in respect to Quarry Lease No.DKD-227 and No.DKD- 228, by considering the reply and representation dated 03.01.2026, furnished by the petitioner pursuant to the notice dated 26.12.2025. The petitioner was granted the said leases on 21.01.2010 for a period of ten (10) years for extraction of building



stones. Apparently, there was an allegation that the petitioner was carrying on quarrying activities outside the lease area.

3. In view of the said allegations, a penalty of ₹9,31,200/- was imposed in terms of notice dated 12.02.2025 issued by respondent No.2. The petitioner responded to the said notice and contested the allegations. The petitioner was issued another notice dated 07.05.2025. Thereafter, notwithstanding that the petitioner had submitted a reply to the said notice, respondent No.2 issued an order dated 15.05.2025 cancelling the quarry lease.

4. The petitioner challenged the aforementioned order of cancellation in W.P.No.15441/2025. The said petition was disposed of by an order dated 28.10.2025 directing the respondents to pass a fresh order, after considering the petitioner's response dated 15.05.2025 to the show cause notice dated 07.05.2025.

5. Thereafter, on 12.11.2025, the petitioner made a representation requesting that he be permitted to carry on the quarrying activities.



6. On 26.12.2025, the respondents issued a fresh notice seeking various reports, including directing the petitioner to obtain the 'blasting experiment report' from NITK, Surathkal. The petitioner responded to the said notice. According to the petitioner, he had furnished all information as sought for. Insofar as the blasting experiment report is concerned, the petitioner claims that he had already furnished the same to the Office of Senior Geologist in the year 2018.

7. Notwithstanding the same, the learned counsel for the petitioner submits that the petitioner will furnish a fresh report. The respondents are directed to consider the same and pass appropriate orders as expeditiously as possible, in any event, within two (02) weeks from the date of receipt of the said report.

8. The petition is disposed of with the aforesaid directions.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**