



CNR: KAHC010704022026

NC: 2026:KHC:58572-DB
WP No. 31985 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH 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.31985 OF 2026 (GM-MM S)

BETWEEN:

M/S. VINAYAKA ROCK CRYSTALS
REGISTERED UNDER THE INDIAN
PARTNERSHIP ACT, 1932,
REPRESENTED BY ITS PARTNER
SHRI. G.M. PRAVEEN
AGED ABOUT 45 YEARS,
HAVING ITS REGISTERED OFFICE AT SY. NO.39,
KANIVENARAYANAPURA VILLAGE, NANDI HOBLI,
CHIKKABALLAPURA TALUK AND DISTRICT,
KARNATAKA – 562101.

...PETITIONER

(BY SRI. ANIRUDH ANAND, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF COMMERCE AND INDUSTRIES
(MSME, MINES AND TEXTILE)
VIKASA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE – 560 001.
2. THE COMMISSIONER AND DIRECTOR
DEPARTMENT OF MINES AND GEOLOGY,
KHANIJA BHAVAN,

Digitally signed
by C K LATHA
Location: High
Court of
Karnataka



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RACE COURSE ROAD,
BANGALORE – 560 001.

3. THE SENIOR GEOLOGIST
NO.SA-9, 2ND FLOOR,
JILLADALITHA BHAVAN,
PATRENAHALLI,
CHIKKABALLAPUR – 562 102.
4. KARNATAKA STATE REMOTE SENSING
APPLICATIONS CENTRE
THROUGH ITS CHAIRMAN,
MAJOR SANDEEP UNNIKRISHNAN ROAD,
DODDABETTAHALLI,
BANGALORE – 560 097.

...RESPONDENTS

(BY SRI. K.S. HARISH, GOVERNMENT ADVOCATE)

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 APPROPRIATE ORDER QUASHING THE IMPUGNED NOTICE BEARING NO.GA.BHU.E/U.NI.CHI./OTS-NOTICE/2026-27/1867 DATED 13.07.2026 VIDE ANNEXURE-‘D’ IN THE INTEREST OF JUSTICE AND EQUITY 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 MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

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



2. The petitioner has filed the present petition impugning the demand notice dated 13.07.2026 [**the impugned order**] issued under Rule 44A of the Karnataka Minor Mineral Concession Rules, 1994 [**the KMMC Rules**] calling upon the petitioner to pay a sum of ₹44,73,960 as penalty. The said demand has been raised towards a one-time settlement [**OTS**] of the penalty for extracting 72,082.0 metric tonnes of building stone in excess of the quantity reported and for extracting a further quantity of 16,093.0 metric tonnes of building stone from the encroached area.

3. The petitioner states that he responded to the said notice by letter dated 24.07.2026. The learned counsel for the petitioner submits that the impugned demand notice is vitiated as it has been issued without following the principles of natural justice.

4. The learned Government Advocate fairly submits that the impugned demand notice would be treated as a show cause notice; the petitioner's response to the same would be considered; and the concerned authority would pass an appropriate order after affording the petitioner an opportunity to be heard.



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5. In view of the aforesaid statement, no orders are required to be passed in this petition, except to direct that the respondents are bound down to the statement made on their behalf. We clarify that we have not examined the merits of the demand and nothing stated in this order should be construed as such.

6. We clarify that all rights and contentions of the parties are reserved including the petitioner's contention that the OTS as contemplated under Rule 44A of the KMMC Rules, is voluntary and at the option of the lease/licence holder.

7. The petition is disposed of in the aforesaid terms.

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

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

CKL
List No.: 2 SI No.: 19