

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21st DAY OF AUGUST, 2015

PRESENT

THE HON'BLE MR. SUBHRO KAMAL MUKHERJEE
ACTING CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE B.V.NAGARATHNA

WRIT PETITION NO.4733 OF 2015 (GM-MMS-PIL)

BETWEEN :

GOPAL K.BANGERA
S/O LATE KORAGA POOJARY
AGE: 62 YEARS
R/A MELDADDUMANE
SOODA VILLAGE AND POST
KARKALA TALUK
UDUPI DISTRICT

... PETITIONER

(BY SRI.S.K.ACHARYA, ADV.)

AND :

1. STATE OF KARNATAKA
DEPT. OF MINES AND GEOLOGY
KHANIJA BHAVAN
NO.49, 'KHANIJA BHAVAN'
'D' DEVRAJ URS ROAD
BANGALORE - 560 001
REP. BY ITS SECRETARY
2. SENIOR GEOLOGIST
MINES AND GEOLOGY DEPT.
LALI CHAMBERS

NEAR ASHIRVAD TALKIES
SANTHEKATTE, UDUPI – 576 105

3. KARNATAKA STATE POLLUTION
CONTROL BOARD, PARISARA BHAVAN
NO.49, 4TH AND 5TH FLOOR
CHURCH STREET
BANGALORE – 560 001

4. THE DEPUTY COMMISSIONER
UDUPI DISTRICT, UDUPI – 576 101

5. THE TAHASILDAR
KARKALA TALUK
KARKALA – 576 104
UDUPI DISTRICT

6. M/s. NAVAYUGA ENGINEERING
CONSTRUCTION COMPANY LTD.
CORPORATE OFFICE
PLOT NO.379, ROAD NO.10
JUBILEE HILLS
HYDERABAD – 500 033
A.P.STATE

... RESPONDENTS

(SRI.Y.H.VIJAY KUMAR, AGA FOR R1, R2, R4 AND R5
SMT.PJSHPAKANTHA, ADV. FOR R3
SRI.DHYAN CHINNAPPA, SR. ADV. FOR SRI.K.ARUN KUMAR, ADV.
FOR R6)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India, praying to direct the R1 to R5 to consider the representation of the petitioner vide Ann-A, E, F, H in the matter of cancellation of quarry lease No.241/10 operated by R6 in Sy.No.133/P1 situated at Sooda Village, Karkala Taluk, forthwith and to pass appropriate orders with regard to the said quarry lease and etc.

This petition coming on for Preliminary Hearing this day, **THE ACTING CHIEF JUSTICE** made the following:

ORDER

Considering the facts and circumstances of the case, we grant liberty to the writ petitioner to make a representation to the Senior Geologist, Mines and Geology Department, Udupi ventilating his grievance.

If such representation is made by the writ petitioner within a fortnight, the said Senior Geologist shall consider the representation in accordance with law after giving opportunities of hearing to all concerned in the matter.

We express no opinion on merits.

The writ petition stands disposed of.

There will be no order as to costs.

**Sd/-
ACTING CHIEF JUSTICE**

**Sd/-
JUDGE**