

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29th DAY OF FEBRUARY, 2016

PRESENT

THE HON'BLE MR. SUBHRO KAMAL MUKHERJEE,

CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE RAVI MALIMATH

WRIT PETITION NO.51431 OF 2015 AND
WRIT PETITION NOS.52048 TO 52050 OF 2015 (GM-MMS)

BETWEEN :

1. P.S.RAJU
S/O LATE PAPAIAH
AGE: 60 YEARS
R/O NO.270,
DINNEVADDARA
PALYA, NIRMALA NAGAR
MILASANDRA, BEGUR POST
BENGALURU – 560 065

2. AROGYASWAMY
S/O KOLIRAYAPPA
AGE: 41 YEARS
MYLASANDRA VILLAGE
BEGUR POST
BENGALURU – 560 068

... PETITIONERS

(BY MR.K.B.SHIVA KUMAR, ADVOCATE)

AND :

1. THE SENIOR GEOLOGIST (M)
DEPARTMENT OF MINES

AND GEOLOGY
ROOM NO.SA-9,
2ND FLOOR
ZILLADALITHA BHAVAN
PATRENAHALLI
CHIKKABALLAPUR – 562 101

2. THE JOINT DIRECTOR
DEPARTMENT OF MINES
AND GEOLOGY
SOUTHERN REGION
SARASWATHIPURAM
MYSORE – 570 001
 3. THE DEPUTY COMMISSIONER
DEPARTMENT OF REVENUE
CHIKKABALLAPURA
DISTRICT:
CHIKKABALLAPURA – 562 101 .. RESPONDENTS

(BY MR.Y.H.VIJAY KUMAR, ADDITIONAL GOVERNMENT ADVOCATE)

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These Writ Petitions are filed under Articles 226 and 227 of the Constitution of India, praying to quash the order of the R3 dated 22.5.2006 vide Ann-C and dated 12.5.2006 vide Ann-C1, in respect of the 1st petitioner, and etc.

These petitions coming on for Preliminary Hearing this day,
THE CHIEF JUSTICE made the following:

ORDER

The revisional applications of the writ petitioners filed invoking the provisions of Rule 53 of the Karnataka Minor Mineral Concession Rules, 1994, were dismissed by the revisional authority as barred by limitation.

2. Under the said Rule 53, the limitation for preferring a revision is sixty days. However, in the proviso to the said Rule 53, it is provided that on sufficient cause been shown, the application could be entertained by the revisional authority within a period of thirty days from the date of expiry of the aforesaid period of sixty days.

3. Admittedly, the applications were barred by seven years and, therefore, the revisional authority was justified in holding that it had no jurisdiction or power to condone such inordinate delay.

We do not find any fault in the order of the revisional authority requiring interference.

The writ petitions are, accordingly, dismissed.

There will be no order as to costs.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**

RV