

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20407 of 2015

Dated : 07.07.2015

Between:

Yenni Venkatesh S/o.Late Appala Suryanarayana,
Aged about 30 yrs, R/o.Vanithamandalam Village,
Polaki Mandal, Srikakulam District & 2 others

.. Petitioners

And

State of Andhra Pradesh,
Rep., by its Principal Secretary,
Mines & Geology,
Secretariat, Hyderabad & 3 others

.. Respondents

This Court made the following :

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ORDER :

The petitioners claims to be the joint owners and possessors of lands to an extent of Ac.1-03 cents in Survey No.488/3, Ac.3.00 in Survey No.488/1 and Ac.8.95 cents in Survey No.488/1 of Vanithamandalam Village, Polaki Mandal, Srikakulam District. The respondents granted lease to extract sand in 21 sand reaches in Srikakulam District and one of such sand reach is Polaki Sand Reach of Mabagam Village to which environmental clearance was also granted on 23.02.2015 and mining operations are allowed on this sand reach to the Dwakra group by the 4th respondent. The petitioners allege that while extracting the sand, the Dwakra group is transporting the sand from the lands of the petitioners in the above mentioned survey numbers, adversely affecting the properties of the petitioners.

2. The averments in the affidavit filed in support of this writ petition are vague. It does not show how the petitioners lands are affected and it does not say whether there was any road existing which is being used or people are accessing to road by using the lands of the petitioners. The petitioners have also not complained to any of the authorities in the district, but straight away filed this writ petition. No writ petition can be entertained on vague assertions and even without complaining to the competent authority ventilating their grievance. This writ petition in the present form is not maintainable and is liable to be dismissed.

3. Accordingly, the writ petition is dismissed. However, it is open to the petitioners to lodge a complaint to the 2nd & 4th respondents ventilating their grievance of persons using their lands for transporting of sand. It is needless to observe that as and when such complaint is filed, the 2nd & 4th respondent shall consider the same objectively and communicate the decision to the petitioners in due course. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

07th July, 2015.
Rds

P.NAVEEN RAO,J