

THE HON'BLE SRI JUSTICE A.V. SESA SAI

Writ Petition No.20127 of 2015

ORDER:

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This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a Writ or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not processing the petitioners’ applications for grant of quarry lease for colour granite over an extent of 4.00 Hectares each in Sy.Nos.645 & 816 of Kokanti Village, Tanakallu Mandal, Anantapuram District as arbitrary, illegal, unjust, unconstitutional and violative of Articles 14 & 19 of the Constitution of India and also contrary to Mines & Minerals (Development & Regulation) Act, 1957 and A.P. Minor Mineral Concession Rules, 1966 and consequently direct the respondents to process the petitioners applications for grant of quarry lease for colour granite over an extent of 4.00 Hectares each in Sy.Nos.645 & 816 of Kokanti Village, Tanakallu Mandal, Anantapuram District respectively forthwith and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Heard the learned counsel for the petitioners, learned Government Pleader for Mines and Geology and learned Government Pleader for Revenue, for the respondents.

According to the affidavit filed in support of the writ petition, the petitioners 1 and 2 have submitted their applications on 10-12-2013 and 22-02-2013 to the Assistant Director of Mines and Geology, Anantapuram District, the 3rd respondent herein, for grant of quarry lease for colour granite, over an extent of 4.00 Hectares each, in

Sy.Nos.645 & 816, respectively, of Kokanti Village, Tanakallu Mandal, Anantapuram District. The 3rd respondent acknowledged the same on the same day, and forwarded one set of applications to the Tehsildar, Tanakallu Mandal, the 5th respondent herein, requesting him to furnish information with regard to the availability and classification of the land for grant of quarry lease and also for holding survey and inspection. The principal grievance of the petitioners in this writ petition is that though considerable time has elapsed, no action has been taken by the respondents for processing the said applications.

The material available before this Court shows that even though the petitioners submitted their applications on 10-12-2013 and 22-02-2013 to the 3rd respondent, for grant of quarry lease, no action has been taken for processing their applications under the provisions of A.P. Minor Mineral Concession Rules, 1966.

Under these circumstances, this Court deems it appropriate to dispose of the writ petition with a direction to the respondents-authorities to process the application of the petitioners, and to take action in accordance with law, by fixing some time.

For the foregoing reasons, and having regard to the nature of controversy involved, the writ petition is disposed of, directing the respondents herein to process the applications of the petitioners, said to have been submitted on 10-12-2013 and 22-02-2013, for grant of quarry lease for colour granite, over an extent of 4.00 Hectares each in Sy.Nos.645 & 816, respectively, of Kokanti Village, Tanakallu Mandal, Anantapuram District and pass appropriate orders in accordance with law, within a period of three months from the date

of receipt of a copy of this order.

The miscellaneous petitions, if any, filed in the writ petition shall also stand disposed of. There shall be no order as to costs.

A.V. SESA SAI, J.

Dt.03-07-2015.

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