

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION No.6856 of 2011

ORDER:

The grievance of the petitioner was that the mining authorities were not taking action against the 5th respondent – Society for having sub-leased the land admeasuring Acs.4.00 guntas in Survey No.129 of Ogipur Village, Thandur Mandal, Ranga Reddy District. She sought a consequential direction to the mining authorities to cancel the proceedings dated 19.04.2007, whereby the said land was given on quarry lease to the

5th respondent–Society. According to the petitioner, the 5th respondent–Society sub-leased the land given on quarry lease to it to one Jetty Narsimhulu under lease agreement dated 14.03.2007. A copy of the said lease agreement was also filed.

The Assistant Director of Mines and Geology, Tandur, Ranga Reddy District, filed a counter-affidavit stating that his office had no evidence that the 5th respondent–Society had sub-leased the land given on quarry lease to it and further stated that in the event the petitioner produces any supporting documentary evidence regarding the alleged sub-lease, action would be initiated as per the Andhra Pradesh Minor Mineral Concession Rules, 1966.

Respondent Nos.5 and 6 entered appearance through Sri P.V.Narayana Rao, learned counsel, and they also filed a counter-affidavit contesting the petitioner's averments.

The mining authorities themselves stated that in the event the petitioner produces proof of any violation of the lease conditions by the 5th respondent–Society and more specifically, any sub-lease having been entered into by it, they would initiate action as per rules. This Court is therefore not inclined to adjudicate the matter on merits, as it is for the authorities to deal with the matter as per law.

The writ petition is accordingly disposed of leaving it open to

the petitioner to approach the mining authorities with supporting documentation in proof of her allegation that the 5th respondent–Society violated the lease conditions and sub-leased the land given on quarry lease to it. In the event such an application is made along with supporting documentation, the mining authorities shall initiate action thereupon in accordance with rules.

Pending Miscellaneous Petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:26.08.2015

GJ