

**THE HON'BLE SRI JUSTICE A.V. SETHA SAI**

**WRIT PETITION No.25711 of 2015**

**ORDER:**

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

*“to issue writ of Mandamus to declare the action of Respondents in Demand Notice No.5774- 18/V&E-RM/2010, dated 10.12.2010 in raising demand against the Petitioner and the orders of Respondent No.1 in Memo No.2097/M.I(1)/2014-3, dated 29.07.2015 in dismissing the Revision by a non-speaking order as arbitrary, illegal, unjust and unconstitutional, in violation of principles of natural justice and the Mines and Minerals (Development & Regulation) Act 1957 and A.P. Minor Mineral Concession Rules 1966, consequently call for records in the said proceedings and set aside the same.”*

Heard Smt. N. Shoba, learned counsel for the petitioner and learned Government Pleader for Mines and Geology for respondents, apart from perusing the material available before this Court.

The Assistant Director of Mines and Geology issued a demand notice bearing No.5774-18/V&E-RM/2010, dated 10-12-2010, asking the petitioner herein to pay a sum of Rs.16,67,450/- towards normal seignorage fee and Rs.16,67,450/- towards penalty, totaling Rs.33,34,900/- on the ground that the lessee/petitioner herein failed to submit the documentary evidence for the minerals produced.

As against the said demand the petitioner herein preferred a statutory revision under Rule 35-A of A.P. Minor Mineral Concession Rules before the State Government – first respondent herein. The first respondent vide memo No.3097/M.I(1)/2014-3,

dated 29-07-2015 dismissed the said revision filed by the petitioner herein.

Calling in question the validity and legal sustainability of the said demand raised by the Assistant Director of Mines and Geology as confirmed by the State Government vide impugned memo, dated 29-07-2015, the present writ petition has been filed.

A copy of the Memorandum of Grounds of Revision filed by the petitioner herein before the State Government – first respondent herein is placed on record, wherein the petitioner herein raised a number of grounds. A perusal of the impugned memo, dated 29-07-2015 makes it manifestly evident that the revisional authority did not consider any of the grounds raised by the petitioner herein while passing the impugned order.

It is settled and well established proposition of law that the orders of the quasi-judicial authorities should necessarily be supported by reasons. In the instant case, a perusal of the impugned memo candidly discloses that the first respondent herein failed to adhere to the said settled proposition of law. Except stating that the revisional authority is convinced with the directions of the Director of Mines and Geology, the first respondent herein did not assign any reasons. In the considered opinion of this Court on the said ground alone the impugned memo is liable to be set aside.

For the aforesaid reasons, the writ petition is allowed, setting aside the memo No.3097/M.I(1)/2014-3, dated 29-07-2015 issued by the first respondent herein and the matter is remanded to the first respondent herein for consideration of the revision filed by the petitioner afresh after giving notice and

The Miscellaneous Petitions, if any, pending in this Writ  
Petition shall stand closed.

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**WRIT PETITION No.25711 of 2015**

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August 14, 2015

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