

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.7161 of 2012

ORDER:

This writ petition was filed assailing the action of the Assistant Director of Mines and Geology, Kurnool, the 3rd respondent, in not issuing regular permits to the petitioner – concern in terms of G.O.Ms.No.70, Industries and Commerce (M.III) Department, dated 04.04.1997. By the said G.O., the petitioner – concern was granted a lease for mining Limestone, White Shale and Serpentine over an extent of 33.59 acres in Survey Nos.519/A1 and 644/2A of Malkapuram Village, Dhone Mandal, Kurnool District, for a period of 20 years.

In its interim order dated 29.03.2012, this Court took note of the fact that the petitioner – concern had not committed any default in its financial obligations or in compliance with the rules, but notwithstanding the same regular permits were not being issued to it. The Learned Assistant Government Pleader for Mines and Geology, on instructions, informed this Court that upon a complaint made by one P.Shabbir Ali Khan alleging some private disputes between the parties, the permits were not issued. Being of the opinion that as long as the petitioner – concern did not violate any of the statutory rules or provisions and there were no deviations from the terms and conditions of the lease agreement, this Court held that withholding of the permits was not in tune with the interests of justice. This Court further observed that private individuals have to take recourse to appropriate proceedings for settling their civil disputes and accordingly directed the 3rd respondent to continue to issue permits to the petitioner – concern if there was no contravention which otherwise disabled him from issuing such permits.

The learned Assistant Government Pleader for Mines and Geology informed this Court that pursuant to the aforesaid order,

permits were issued to the petitioner – concern and that there are no grounds as on date for withholding such permits.

In the light of this stand, which is duly taken on record, no adjudication is called for in this writ petition and the same is accordingly closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Date:26.10.2015

GJ