THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.34519 of 2015

ORDER:

The grievance of the petitioner company was that the Assistant Director of Mines and Geology, Kurnool, the second respondent, was not issuing transit forms to it for undertaking transport of the mineral excavated from the leased area, being an extent of 95.747 hectares in Sy.No.550/C of Orvakal Village and Mandal, Kurnool District.

The Assistant Director of Mines and Geology, Kurnool, furnished written instructions dated 27.10.2015 to the office of the learned Government Pleader for Mines and Geology, wherein he stated that the petitioner company was granted a mining lease over the subject land in relation to silica sand and quartzite and that this mining lease was executed on 26.03.2007 and is valid up to 25.03.2027. The petitioner company was stated to be the mining leaseholder in relation to an other extent of land admeasuring 161.080 hectares in Sy.Nos.29/A1(P) and 406/1 of Pudicherla Village, Orvakal Mandal, Kurnool District, and in respect thereof, mineral revenue dues aggregating to Rs.16,72,006/- were stated to be due and payable by it. It is owing to the pendency of these dues that the second respondent justified refusal of transit forms.

Sri V. Surya Kiran Kumar, learned counsel for the petitioner company, fairly stated that his client would clear the pending mineral revenue dues and that the process in this regard is held up owing to the banks at Chennai being closed. He would further state the dues would be cleared within two weeks from today and that the second respondent may be directed to issue necessary transit forms thereafter.

Learned Assistant Government Pleader for Mines and Geology states that once the mineral revenue dues are cleared and as long as the petitioner company's mining lease remains in operation, there would be no hindrance in issuing transit forms to it in accordance with the due procedure.

In that view of the matter, the writ petition is closed permitting the petitioner company to clear its pending mineral revenue dues expeditiously. Thereupon, the second respondent shall consider the application of the petitioner company for issuance of transit forms and take appropriate action in the matter in accordance with the due procedure.

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

JUSTICE SANJAY KUMAR

7th December, 2015
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