

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

WRIT PETITION No.18445 of 2015

ORDER:

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

“to issue Writ of Mandamus to declare the action of the respondents, particularly the 7th respondent herein in not following the procedure prescribed under G.O.Ms.No.2, Revenue (Assignments-I) Department, Government of Andhra Pradesh, dated 02-01-2013 as illegal and arbitrary and further direct the respondents herein to follow the procedure prescribed under G.O.Ms.No.2, Revenue (Assignments-I) Department, Government of Andhra Pradesh, dated 02-01-2013 by acting upon the quarry lease application, dated 06-12-2010 made by the petitioner for grant quarry lease for black granite in Sy.No.33/2 (extent 16-000 Hectares) of Pallamalli village, Chimakurthy mandal, Prakasham District as per the endorsement No.9588/Q/2010, dated 06-12-2010 of 3rd respondent and consider the same for grant of quarry lease for black granite to the petitioner as per law forthwith.”

Heard Sri K. Rajanna, learned counsel for the petitioner and learned Government Pleaders for respondents.

According to the petitioner, he submitted an application, dated 06-12-2010, requesting for grant of quarry lease for black granite in respect of an extent of 16 Hectares in Sy.No.33/2 of Pallamalli village, Chimakurthy mandal, Prakasham District and the Assistant Director of Mines and Geology – 3rd respondent herein forwarded the said application to the Tahsildar, Chimakurthy, Prakasham District – 7th respondent herein vide Lr.No.9588/Q/2010, dated

06-12-2010, requesting for submission of report on the category and availability of the area in question.

The grievance of the petitioner herein is that no action has been taken by the revenue authorities thereafter. It is further submitted by the learned counsel for the petitioner that the revenue authorities have to take action in accordance with the procedure stipulated under G.O.Ms.No.2, Revenue (Assignments-I) Department, Government of Andhra Pradesh, dated 02-01-2013.

Since there is no dispute with regard to the submission of application by the petitioner, requesting for grant of quarry lease and the letter addressed by the Assistant Director of Mines and Geology to the revenue authorities, this Court deems it appropriate to direct the respondents 4 to 7 to complete the process in accordance with G.O.Ms.No.2, Revenue (Assignments-I) Department, Government of Andhra Pradesh, dated 02-01-2013.

For the aforesaid reasons, having regard to the nature of controversy and taking into consideration the facts and circumstances of the case, this writ petition is disposed of, directing the respondents – revenue authorities to take appropriate action on the letter No.9588/Q/2010, dated 06-12-2010 submitted by the Assistant Director of Mines and Geology in accordance with G.O.Ms.No.2, Revenue (Assignments-I) Department, Government of Andhra Pradesh, dated 02-01-2013 within a period of two (2) months from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.V. SESA SAI, J

June 29, 2015

Note: Furnish C.C. in
one week. B/o.Pn

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