

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION Nos.40551 and 40667 of 2015**

**COMMON ORDER:**

The petitioners in these two cases were granted quarry leases in respect of the mineral, Limestone, in different sub-divisions of Sy.No.129 of Ogipur Village, Tandur Mandal, Ranga Reddy District. Their quarry leases were renewed and are presently subsisting. It is their grievance that the mining authorities are refusing to issue dispatch permits for transportation of the mineral.

The Assistant Director of Mines and Geology, Tandur, Ranga Reddy District, furnished written instructions to the office of the learned Government Pleader for Mines and Geology narrating the history in relation to the grant of quarry leases to the petitioners and also the steps that were initiated for setting at naught these quarry leases.

However, cancellation of the 'No Objection Certificates', which formed the substratum of the grant of quarry leases to the petitioners, was assailed before this Court and admittedly, this Court granted suspension of such cancellation. Thus, as matters stand, the quarry leases are still in operation. That being so, it is not open to the mining authorities to refuse to issue dispatch permits having collected the seigniorage fee/dead rent, as the case may be.

However, the Assistant Director of Mines and Geology, Tandur, Ranga Reddy District, stated in his written instructions that as per his office records, the petitioners did not submit any requisition for obtaining dispatch permits for transportation of Limestone from their quarry lease areas.

In the light of this averment, Smt. N. Shoba, learned counsel for the petitioners, requested that her clients may be granted liberty to apply in the prescribed format for grant of dispatch permits.

The learned Assistant Government Pleader for Mines and Geology informed this Court that in the event the petitioners make such applications, the same would be dealt with in accordance with the due

procedure.

In that view of the matter, the writ petitions are disposed of leaving it open to the petitioners to make fresh applications in the prescribed format for issuance of dispatch permits for transportation of the mineral from their quarry lease areas and in the event such applications are made, the Assistant Director of Mines and Geology, Tandur, shall consider the same in accordance with the relevant rules and take appropriate action thereon expeditiously.

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

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**JUSTICE SANJAY KUMAR**

21<sup>st</sup> December, 2015

**Note:-**

Issue CC in three days.

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