

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.8691 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of respondents 2 to 4 in disengaging the services of the members of the petitioner Society for loading of the sand at Siddantham Sand Reach and depriving their livelihood and not considering the representation dated 09.03.2015 as illegal, arbitrary and violative of principles of Articles 14 and 19 of the Constitution of India and consequently to direct respondents 2 to 4 to engage the members of the petitioner Society for loading of the sand instead of machinery.

The case of the petitioner-Society is that its members are the workers engaged for loading and unloading of the sand into the lorries engaged by the contractors and now their grievance is that the contractors are using machinery and thereby, they deprived their livelihood. As such, they made representation on 09.03.2015 to respondents 2 and 3 but no action has been taken thereon. Aggrieved by the same, the present writ petition is filed.

Heard the learned counsel for the petitioner, learned Government Pleader for Industries and Commerce for respondents 1 and 2 and learned Government Pleader for Panchayatraj, appearing for the 3rd respondent.

I have perused G.O.Ms.No.95 dated 28.08.2014, relevant portion of which reads as under:

“Use of Machinery for extraction of sand:

The District Collector may permit use of machinery for extraction of sand in specified sand bearing areas where there is no impact on Ground Water Table.”

The petitioner has not pointed out any rule or provision for issuing directions to the permit holders to engage its members for loading and unloading of sand.

In view of the above, I am of the opinion that no such direction can be issued as prayed for in the writ petition for engaging the members of the petitioner Society for loading and unloading of sand and it is for the permit holders to carry out their operations as they wish. Hence, I do not see any merit in the writ petition.

Accordingly, the writ petition is dismissed. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

01.04.2015

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