

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

**WRIT PETITION No.27808 OF 2012**

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**DATED: 24.06.2015**

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**Between:**

Y. Venkateswara Rao

.. Petitioner

And

The State of Andhra Pradesh,  
Rep. by Director of Mines & Geology, Hyderabad,  
and others.

.. Respondents

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

**WRIT PETITION No.27808 of 2012**

**ORDER:**

The grievance of the petitioner in this case was as to the report of the Tahsildar, Meliaputti Mandal, Srikakulam District, whereby he certified that only an extent of 8.45 hectares in Sy.No.486 of Meliaputti Village may be considered for grant of a quarry lease in respect of colour granite. This report was given in the context of the petitioner's application dated 09.09.2009 for grant of a quarry lease over an extent of 20 hectares in Sy.No.486 of Meliaputti Village.

The reason for restricting the area to 8.45 hectares, as is evident from the report dated 28.10.2011 of the Tahsildar, Meliaputti Mandal, as well as the counter-affidavit filed by the Assistant Director of Mines and Geology, Tekkali, Srikakulam District, is that a place of worship by name 'Injadri' was existing on a hillock in Sy.No.486 which was being visited by the villagers. The Assistant Director of Mines and Geology further stated in his counter-affidavit that a number of applications had been received for grant of quarrying rights in respect

of the land in the same survey number but, no clearances had been given by the Tahsildar, Meliaputti Mandal, in connection therewith. He further stated that consideration of the grant of quarry leases upon the said applications would be taken up after necessary information was given by the revenue department.

It is not clear as to whether the place of worship said to be existing in this survey number covers the entire remaining extent, thereby preventing the authorities from dealing with the same. However, as it is stated that several other applications have already been received and are pending consideration and as the petitioner's application, which is stated to be earlier in point of time, would also have to be considered in accordance with the prescribed procedure in terms of prioritization, the writ petition is disposed of directing the respondents to undertake a survey of the subject land in Sy.No.486 of Meliaputti Village and in the event any further land is found to be available for grant of quarrying rights, the applications received by the mining authorities, including that of the petitioner, shall be considered in accordance with law and as per the prioritization prescribed under the rules. This exercise shall be completed expeditiously and in any event, not later than four months from the date of receipt of a copy of this order.

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**

24<sup>th</sup> June, 2015  
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