

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

* * *

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION Nos. 38380 AND 38454 of 2015

BETWEEN

Dasari Satyanarayana and another

... PETITIONERS

AND

The State of Andhra Pradesh, rep. by its Principal Secretary to Government and others

...RESPONDENTS

Date of Order pronounced: 26.11.2015

COMMON ORDER:

The petitioners in these two cases submitted applications in the month of November, 2014 to the Assistant Director of Mines and Geology, Rajahmundry, East Godavari District, for permission to level their lands in Vemulapalli Village of Mandapeta Mandal, East Godavari District, by allowing them to excavate earth and gravel. According to the petitioners a 'No Objection Certificate (NOC)' is required to be furnished in terms of G.O.Ms.No.2, Revenue (Assignments.I) Department dated 02.01.2013. Their grievance is that this NOC is not being furnished whereby they can proceed in the matter.

2. Learned Assistant Government Pleader for Mines and Geology, on instructions, informed

this Court that the matter has already been forwarded to the revenue authorities and that the requisite certification is awaited from them.

3. Though the learned Assistant Government Pleader for Revenue would seek time to get instructions in the matter, this Court is of the opinion that there is no purpose served in keeping this writ petition pending as it is not for this Court to adjudicate the matter on merits at this Stage. The revenue authorities are yet to apply their mind in terms of G.O.Ms.No.2 dated 02.01.2013 and take a decision as to whether the required NOC should be issued to the petitioners.

4. In that view of the matter, the writ petitions are disposed of directing the revenue authorities to complete the process in terms of G.O.Ms.No.2 dated 02.01.2013 expeditiously and in any event, not later than 30 days from the date of receipt of a copy of this order.

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

JUSTICE SANJAY KUMAR

November 26, 2015

Lmv