

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

WRIT PETITION No.26513 of 2015

ORDER:

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

“To issue an appropriate Writ, order or direction, more in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in interfering with the lawful activity of the petitioner of mining the laterite in an extent of AC. 9.05 cents in Sy. No. 541/P of Bagole village & Mandal, SPSR Nellore District, at the instance of the respondents 4 to 8 herein yielding to the pressures brought out by them through their political identities dehors to the directions of the 2nd respondent dated 10.2.2011 as being illegal, arbitrary and is in violation of Article 21 of the Constitution of India and consequently direct the respondents not to interfere with the mining operations of the petitioner at the said land.”

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Mines and Geology and Revenue.

3. When the matter is called today, a letter dated 04.09.2015 bearing Rc.No.B.613/2015 addressed by the Tahsildar, Bagole, Nellore District to the learned Government Pleader, has been placed on record by the learned Government Pleader. The said letter reads as under:

“I submit that a Telephonic message has been received from the O/o the Government Pleader for Revenue calling above instructions on the W.P.No.26513/2015 filed by D.Krishna Prasad.

Contention of the petitioner is that he was not allowed to conduct mining operations (Laterite Mining) by the Revenue authorities to Sy.No.641/P measuring Acs.9.05 cents of Bogole village.

In this connection it is submitted that the petitioner is a lease holder and he was not restricted in any point of time to conduct mining operations in Sy.No.541/P Acs.9.05 cents as contended. Even no Notice was issued by the Revenue authorities asking the petitioner to stop mining operations. Therefore the petition has no valid ground to make out its case and the contention of the petitioner is imaginary. Therefore the Writ Petitioner merits no consideration and has to be dismissed.”

4. On noticing the contents of the said order, learned counsel for the

petitioner requested this Court, to dispose of the present writ petition by recording the contents of the said letter dated 04.09.2015 bearing Rc.No.B.613/2015 of the Tahsildar, Bagole, Nellore District addressed.

5. In view of the above submission, the writ petition is disposed of, by recording the contents of the letter dated 04.09.2015 bearing Rc.No.B.613/2015 addressed by the Tahsildar, Bagole, Nellore District. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:09.09.2015
grk

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

WRIT PETITION No.26513 of 2015

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Dated 09th September, 2015

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**THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE
STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

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

WRIT PETITION No.26513 of 2015

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Between:

D.Krishna Prasad, S/o. Venkaiah, aged about
37 years, Occ: Business, R/o Kovvurupalli village &
Post, Bogolu Mandal, SPSR Nellore District.

... Petitioner

and

The State of Andhra Pradesh, represented by
its Secretary, Revenue Department, Secretariat
Buildings, Hyderabad and three others.

... Respondents

JUDGMENT PRONOUNCED ON: 09th September, 2015

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

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| 1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
Fair copy of the judgment? | Yes/No |

