

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.5815 OF 2012

DATED 3rd JUNE, 2015

Between:

Karalapati Vali and others .. Petitioners

and

The Tahsildar & Executive Magistrate,

Nekarikallu Mandal, Guntur District

and another .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.5815 OF 2012

ORDER

The grievance of the petitioners in this case was that their objections were rejected under the impugned proceedings dated 14.12.2011 of the Tahsildar, Nekarikallu

Mandal, Guntur District. These objections were raised by the petitioners in the context of the land in Sy.No.295 of Gundlapalli Village having been found to be rich in mineral road metal and granite deposits. The petitioners therefore raised objections to mining operations being carried out in the said land on the ground that their patta lands were adjacent thereto.

The Tahsildar, Nekarikallu Mandal, Guntur District, filed a counter-affidavit conceding that pattas were allotted to the petitioners in respect of the land in Sy.No.295/2A1 of Gundlapalli Village in Nekarikallu Mandal, Guntur District. He further stated that the land in Sy.No.295 of Gundlapalli Village was found to have mineral road metal and granite deposits. He however stated that though applications were made for grant of 'No Objection Certificates' for undertaking mining operations in the subject land, 'No Objection Certificates' were not granted. No final orders were passed upon the various applications made and he explained the impugned proceedings dated 14.12.2011 by stating that the petitioners' objections were stated to have been rejected only on the ground that they did not cultivate the lands assigned to them and leased them out to others. However, their objections as regards the grant of 'No Objection Certificates' were not rejected. He reiterated that 'No Objection Certificates' have not been issued to any of the applicants and that the objections of the petitioners in this regard were not rejected.

In the light of the aforestated averments in the counter-affidavit, which remained unrebutted by the petitioners, it is clear that the impugned proceedings dated 14.12.2011 have to be read and understood in the context explained by the Tahsildar, Nekarikallu Mandal. The grievance of the petitioners as regards rejection of their objections therefore does not survive.

The writ petition is accordingly closed. Pending miscellaneous petitions shall also stand closed. No order to costs.

SANJAY KUMAR, J

3rd JUNE, 2015

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