

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

WRIT PETITION NO.32192 OF 2015

DATED 26th NOVEMBER, 2015

Between:

Mallidi Veera Raghava Reddy .. Petitioner

and

State of Andhya Pradesh, rep. by its

Principal Secretary, Industries and

Commerce (Mines Department) and others .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.32192 OF 2015

ORDER

The grievance of the petitioner was that the mining authorities were not granting necessary permission to him for excavation of gravel from his leased premises.

The Assistant Director of Mines and Geology, Rajahmundry, furnished written

instructions to the office of the learned Government Pleader for Mines and Geology, wherein he stated that the Deputy Director of Mines and Geology, Kakinada, granted a quarry lease for gravel over an extent of Ac.10-07 cents in Sy.No.28 of Balabadrapuram Village, Biccavole Mandal, East Godavari District, for a period of five years under proceedings dated 09.04.2014 and a lease deed was executed on 16.04.2014. Work orders were also stated to have been issued. This lease was stated to be alive up to 15.04.2019. While so, an inspection took place in June, 2015, whereupon show-cause notice dated 19.06.2015 was issued to the petitioner calling for his explanation in relation to certain excavation and transportation of gravel over and above the permitted quantity. Demand notice dated 20.07.2015 came to be issued which was however set aside by this Court in W.P.No.24515 of 2015. The Assistant Director further referred to the fact that while remanding the matter for fresh consideration, this Court directed that no coercive steps should be taken against the petitioner. The Assistant Director concluded by stating that his office had not received any permit applications for issuance of dispatch permits.

Learned counsel for the petitioner stated that the petitioner submitted a fresh application for issuance of dispatch permits which was received by the mining authorities under inward No.6609 dated 09.11.2015.

In the light of the aforestated facts and circumstances, the writ petition is disposed of directing the Assistant Director of Mines and Geology, Gandhipuram, Rajahmundry, the third respondent, to consider the petitioner's application received on 09.11.2015 and take appropriate action in the matter in accordance with law. The Assistant Director of Mines and Geology would keep in mind the fact that this Court directed that no coercive steps would be taken against the petitioner pending the exercise upon remand. As it is stated that this exercise is yet to culminate, the same cannot be taken into account at this stage. The Assistant Director shall take appropriate action upon the petitioner's representation expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

26th NOVEMBER, 2015

PGS