

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.11111 OF 2015

Date:28.04.2015

Between:

Yalla Paripurna Savithri and others .. Petitioners

And

The State of Andhra Pradesh, rep., by

District Collector, East Godavari

District, Kakinada and others .. Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.11111 OF 2015

ORDER:

Heard.

The petitioners state that they are agriculturists holding small extents of lands in various survey numbers. They state that their lands are piled up by earth (bondu matti) on account of floods to River Godavari. To enable them to utilise the said lands, they sought permission for removal of the piled up earth from their lands and to store it in a gravel. For that purpose, it is stated that the petitioners made an application to respondent No.3 on 18.03.2015 along with an application for grant of Temporary Permit to remove the piled up earth from their lands duly paying necessary fee. The said application was simply returned without processing the same. The petitioners also submitted a representation including payment of seigniorage fee. Since, their application is not considered, the present Writ Petition is filed.

Respondent No.3 has filed counter affidavit, which *inter alia* states that the petitioners' application, which was filed, was not found to be in full format and was not accompanied by necessary documents and, hence, the same was returned. It is stated that along with the application in Form-B, the applicant has to produce Mineral Dues Clearance Certificate, Income Tax Clearance Certificate, Challan worth Rs.1,500/-, FMB Sketch along with Adangal duly demarcating the applied area on the sketch counter signed by the licenced/authorised surveyor. It is further stated that since the petitioners have not complied with the said requirements, their application was returned.

In view of the said averments of the counter affidavit and the allegation that the petitioners application is not in the proper format and is not supported by necessary documents, the petitioners are permitted to apply afresh after duly complying with the terms and conditions of Rule 9 of the Andhra Pradesh Minor Mineral Concession Rules, 1966 and if such an application is filed by the petitioners, the Assistant Director of Mines and Geology shall consider the same and pass appropriate orders, expeditiously, preferably within a period of four weeks of filing of such application.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V. AFZULPURKAR, J

28.04.2015

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