

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT PETITION No.10691 OF 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more in the nature of Mandamus declaring the action of the Respondent Nos. 1 & 2 not granting Quarry lease in favour of the Petitioner over the area admeasuring an extent of 9.00 Hectares situated in R.S.No.1, Danta Village, Kotabommali Mandal, Srikakulam District in spite of submitting Environmental Clearance Certificate dated: 04-04-2015 issued by State Level Environment Impact Assessment Authority, A.P vide order No. SEIAA/AP/SKM-177/2014 dated: 04-04-2015, the consent order No. 11403-VZM/PCB/ZO/VSP/CFE/-2015-599 dated: 06-07-2015 & 02-11-2016 issued by the A.P Pollution Control Board, Zonal Office, Visakhapatnam as illegal, arbitrary and contrary to the relevant provisions under A.P Minor Mineral Concession Rules, 1966. Consequentially direct the Respondent Nos. 1 & 2 to grant quarry lease to the Petitioner in the subject area and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of this case.”

It appears that the petitioner's quarry lease application dated 28.05.2007 is still under process and it is its complaint that despite securing environmental clearance, the mining authorities have not proceeded further in the matter.

It is not open to the mining authorities to delay the processing of such applications once all required formalities have been completed.

The writ petition is accordingly disposed of directing the mining authorities to consider the petitioner's quarry lease application dated 28.05.2007 in accordance with law and take appropriate action in the matter. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order.

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

**JUSTICE SANJAY
KUMAR**

31st March, 2016
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