

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 31217 of 2011

Order:

This Writ Petition is filed by the petitioner who was a successful bidder for sand bearing areas pursuant to the notification dated 10.08.2011. The petitioner participated in the auction held on 29.08.2011 and he became highest bidder for an amount of Rs.5,21,199/-. He deposited 25% of the knocked down amount. The petitioner also deposited the other amounts pursuant to the confirmation order issued by the Assistant Director of Mines and Geology, dated 30.08.2011, and deposited the stamp duty of Rs.11,800/-. A lease deed was executed on 05.09.2011. While so, the Assistant Director of Mines and Geology issued letter dated 17.11.2011 requesting the petitioner to stop the sand quarry operations until further orders, based on the proceedings issued by the District Collector dated 15.11.2011. Challenging the same, the present Writ Petition was filed.

2. This Court, by an order dated 02.12.2011, while admitting the Writ Petition, granted interim suspension of the said proceedings.

3. Learned Counsel for the petitioner submits that in spite of said interim suspension orders, the petitioner was not allowed to quarry the sand reach.

4. The payment of the amount and execution of lease deed was admitted by the respondents in their counter affidavit. Though a counter affidavit was filed by the respondents, there is no information with regard to action taken by them pursuant to the interim directions

granted by this Court.

5. In view of the statement made by the learned counsel for the petitioner that the quarry operations are not being continued by the petitioner in spite of interim direction, the Writ Petition is disposed of giving liberty to the petitioner to submit an appropriate representation with regard to refund of the amount already deposited, if he is so entitled, within a period of one month from the date of receipt of a copy of this order and on filing such representation the respondents shall consider the same and pass appropriate orders in accordance with law within a period of three (3) months thereafter. However, in the circumstances, no costs.

6. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.
Date: 29.03.2016
Nsr

RAMALINGESWARA RAO, J.