

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1637 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit it is prayed that the Hon'ble Court may be pleased to issue a Writ or order or Direction in the nature of Writ of Mandamus declaring the action of the 1 to 8 respondents not responding on representations dated 17-8-2015, 14-9-2015, 19-10-2015 and 16-11-2015 granting permission to the petitioners for sand mining at Kondapuram Sand Reach, Kondapuram Village though there is proceedings vide Ref.No.TSMDC/BO/KMM/ORD (SAND)/2015-16/T/118, Dated 11-9-2015, is illegal, arbitrary and contrary to Rule 7 of Andhra Pradesh Panchayats Extension to Scheduled Areas (PESA) Rules 2011 and consequently direct the respondents 1 to 8 to consider the representations dated 17-8-2015, 14-9-2015, 19-10-2015 and 16-11-2015 for granting of sand mining lease at Kondapuram Sand Reach, Kondapuram Village, Suraveedu Panchayat Venkatapuram Mandal Khammam District to the petitioners and pass such other order or orders.”

Despite the matter being adjourned twice to enable the learned Assistant Government Pleader to get instructions, he was unable to do so. As the petitioners' representations are awaiting consideration before the authority concerned, this Court sees no purpose served in keeping this matter pending.

The writ petition is accordingly disposed of directing the authorities concerned to consider the petitioners' representations dated 17.08.2015, 14.09.2015, 19.10.2015 and 16.11.2015, giving due opportunity of hearing to all those who would be affected by any decision taken upon such representations and thereafter take appropriate action in the matter. This exercise shall be completed expeditiously and in any event, not later than four 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

23rd February, 2016
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