

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 20085 of 2016

ORDER :

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Mines and Geology for the State of Telangana. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission.

2. The present Writ Petition came to be filed with the following prayer:

“... to issue an order or direction or writ more appropriately a WRIT OF MANDAMUS to declare the action of the 2nd Respondent herein in not disposing the revision petitions filed by the Petitioners, i.e. (1) Inward No.5674, dated 03.08.2015, (2) Inward No.5674, dated 03.08.2015 and (3) Inward No.5676, dated 03.08.2015, against the impugned demand notices issued by the 4th Respondent herein, i.e. (1) Demand Notice No.2901/V&E/2014-1, dated 03.06.2015, (2) Demand Notice No.2901/V&E/2014-2, Dated 03.06.2015 and (3) Demand Notice No.2901/V&E/2014-3, Dated 03.06.2015 are all illegal and set aside the said impugned demand notices issued by the 4th Respondent herein”

3. Though various grounds are raised in the Writ Petition, learned counsel for the petitioners submits that as against the respective demand notices, the petitioner no.1 filed two revisions bearing Inward Nos. 5674 and 5676 on 03.08.2015, and petitioner no.2 filed revision bearing Inward No.5675 on 03.08.2015, along with petitions for interim stay, but till date no orders are passed in the said revisions or applications. He submits that without considering revisions or application filed for interim

stay in the said revisions, the respondents are trying to take steps for recovery of amounts under the respective demand notices. Learned Assistant Government Pleader submits that in view of bifurcation, there is some delay in disposing of the revisions and that suitable steps will be taken for disposal of the revisions at the earliest.

4. A perusal of the material on record shows that the petitioners preferred aforesaid statutory revisions under Rule 35 of the Andhra Pradesh Minor Mineral Concession Rules, 1966. It is not in dispute that these revisions are filed on 03.08.2015 and since then neither the said revisions nor the application filed therein for interim stay, are heard. Having regard to the circumstances of the case, respondent No.2 is directed to dispose of the aforesaid revisions in accordance with law after giving an opportunity of hearing to the petitioner, as early as possible preferably within a period of 12 weeks from today. Mean while, the respondents shall not take any coercive steps against the petitioners for recovery of the amounts due under the respective demand notices.

5. With the aforesaid direction, the Writ Petition is disposed of. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

22.06.2016

DRK

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