

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7626 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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents in not forwarding the application submitted by Petitioner for grant of prospecting license in over an extent of 243.75 hectares in Sy.No.NA65K/7 of Pedduru Avelthi/ Ongdregula Villages, Rowthulapudi / Prathipadu Mandal, Saralanka Reserve Forest, Yeleswaram Range, Kakinada Division, East Godavari District, to the 3rd respondent in spite of submission of required (11) sets of application on 07.08.2010 to the Assistant Director of Mines and Geology as arbitrary, illegal, unjust and unconstitutional and in violation of Mines and Minerals (Development & Regulation) Act, 1957, Mineral Concession Rules 1960, A.P. Minor Mineral Concession Rules 1966 and A.P. Forest Conservation Act 1980 and pass such other order or orders as the Hon'ble Court deems fit and proper in the interest of justice.”

As matter stands, the mineral in relation to which the petitioner submitted an application for grant of a prospecting licence is a minor mineral falling within the ambit of the Andhra Pradesh Minor Mineral Concession Rules, 1966. It is therefore for the respondent authorities to consider the petitioner's application in accordance with law and take appropriate action thereon. At this stage, no cause is made out for interference by this Court on merits.

The writ petition is disposed of directing the respondent authorities to consider the petitioner's application dated 07.08.2010 and take appropriate action thereon in accordance with law. This exercise shall be completed expeditiously and in any event, not later than eight (8) 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

Date:10.03.2016
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