

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.13247 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue any writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the respondents in considering the Memo No.720/M.III(2), 2016 dated 22-01-2016 pursuant to which not issuing Mineral Dealer Licence, Way Bills to the petitioner to de-cast the sand from his Patta Land bearing Survey No. 17 extent of 6.36 Cents of Prakkilanka Village, Tallapudi Mandal, West Godavari District as illegal, unjust, against the principles of natural justice, in violation of Articles 14, 21 and 300-A of the Constitution of India, consequently direct the respondents 2 to 9 to consider the Memo No.720/M.III(2), 2016 dated 22-01-2016 issued by the Respondent No.1 together with the representation dated 25-01-2016, in the interest of justice and pass such other order or orders as deemed fit and proper in the circumstances.”

Under the Memo dated 22.01.2016, the Deputy Secretary to the Government, Industries and Commerce Department, Government of Andhra Pradesh, requested the Chairman, District Level Sand Committee, West Godavari District, to take necessary action on the representation made by the petitioner.

Learned Assistant Government Pleader states that the matter is now pending before the Chairman-cum-District Collector, West Godavari District.

As the said authority was requested by the Government itself to consider the petitioner’s request as long back as in January 2016, it is not open to the said authority to keep the matter pending indefinitely.

The writ petition is accordingly disposed of directing the District Collector, West Godavari District, to act upon the petitioner’s

representation dated 19.01.2015 in the light of the Memo dated 22.01.2016 issued by the Government and take appropriate action in the matter in accordance with law. This exercise shall be completed expeditiously and in any event, not later than two 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

20th April, 2016
PGS/IBL