

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.8101 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is therefore humbly prayed that, this Hon’ble Court may be pleased to issue an order or direction or a writ, more appropriately a writ of Mandamus to declare the impugned action of the Respondents in not processing and disposing of the Petitioner’s mining lease application dated 10.11.2016 and not considering the same by the Respondents for grant of mining lease for Iron Ore, Sand Stone, Quartzite, Soap Stone and Clay in Compartment Nos.77, 78 & 79 of Emboyi Reserve Forest, Kurnool district even after giving assurances given in the batch of Contempt cases (c.C.No.1096 of 2008 dated 17.03.2009) and also even after clear directions issued by this Hon’ble Court in W.P.No.11498 of 2009, dated 05.12.2012 till date is illegal and further direct the Respondents herein to process and dispose of petitioner’s lease application dated 10.11.2006 for grant of mining lease for Iron Ore, Sand Stone, Quartzite, Soap Stone and Clay in Compartment Nos.77, 78 & 79 of Emboyi Reserve Forest, Kurnool District forthwith and to pass such other order or orders which are deem fit and just in the circumstances of the case.”

It appears that by order dated 05.12.2012 passed in W.P.No.11498 of 2009, this Court set aside the rejection of the petitioner’s mining lease application under Memo dated 15.05.2009 and directed consideration of her case afresh by taking into account the explanation submitted in response to the show cause notice and after giving sufficient opportunity of being heard. Though this Court fixed a time frame for completion of such exercise, the grievance of the petitioner is that the mining authorities did not adhere thereto and her application is still pending consideration.

In that view of the matter, as the mining authorities concerned are yet to apply their mind to the petitioner’s mining lease application dated 10.11.2006 in the backdrop of the directions of this Court in W.P.No.11498 of 2009, the writ petition is disposed of directing the mining authorities concerned to process and dispose of the petitioner’s mining lease application dated 10.11.2006, keeping in mind the directions of this Court in the order dated 05.12.2012 passed in

W.P.No.11498 of 2009 and batch. This exercise shall be completed expeditiously and in any event not later than two months 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:14.03.2016

GJ