

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.11526 of 2016

ORDER:

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

“It is humbly prayed of this Hon'ble Authority to kindly issue an appropriate writ, order or direction more so one in the nature of mandamus declaring the said inaction on the part of the Respondents in not disposing the Prospecting Licence application dt. 03-1-2011 made in an extent of Acres 14.92 Cents in Sy. No's. 26, 26 to 29, 29-5, 35-3 to 5, 7 to 15, 36/1P, 15 to 22, 37-1 to 4 and 41-1, 2 of D. Gadapavalasa Village, Terlam Mandal, Vizianagaram District as illegal, arbitrary, contrary to the provisions of the Mines and Minerals (Development & Regulation) Act, 1957 and the Rules made there under and consequently direct the Respondents to dispose of the same in a time bound manner, in the interest of mineral development, law and justice.”

Sri Pannala Srinivas, learned counsel for the petitioner, states that grant of the prospecting licence was recommended by the Government of Andhra Pradesh under its letter dated 12.09.2013 but, no steps have been taken thereafter and the amendment to the statute would not have any impact on this pending application.

These aspects of the matter require to be considered by the authority concerned and at this stage no cause is made out for this Court to interfere or adjudicate the issues on merits.

The writ petition is disposed of directing the authority concerned to consider the petitioner's application dated 03.01.2011 in accordance with law and the recommendation made by the Government of Andhra Pradesh under its letter dated 12.09.2013 and take appropriate action in the matter. In the event the petitioner's application is rejected, the reasons therefor shall be recorded and duly communicated to it. 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:07.04.2016

GJ