

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.7895 OF 2009
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ORDER:

This writ petition filed under Article 226 of the Constitution of India challenges the inaction on the part of the respondent in processing the mining lease application said to have been submitted by the petitioner on 17.03.2006.

2. Heard Dr.Venkat Reddy Donthi Reddy, learned counsel, appearing for the petitioner and learned Government Pleader for Mines and Geology, appearing for the respondents, apart from perusing the material available before this Court.

3. According to the petitioner, he submitted an application on 17.03.2006 for grant of mining lease for extraction of iron ore in respect of area admeasuring 166.00 acres in Survey Nos.613, 614, 615, 616, 617, 618, 619, 620, 623, 625, 626, 627, 628, 631, 714, 714/A, 715 and 1006 of Gutupalli Village, Batamcherla Mandal, Kurnool District. The Mandal Revenue Officer (Tahsildar) vide Rc.B.173/2006, dated 16.06.2006, expressed no objection for grant of mining lease for extraction of iron ore in respect of area admeasuring 58.07 acres situated in Survey Nos.613, 614, 615, 616, 617 Part, 618 Part and 619.

4. In the above back ground, it is submitted by the learned counsel for petitioner that despite giving no objection by the Mandal Revenue Officer, as long back as on 16.06.2006, the respondents 2 and 3 herein are not processing the application and submitting the same to the Union of India for taking appropriate action.

5. This Court while ordering '*Rule Nisi*' on 18.04.2009, granted interim direction in W.P.M.P.No.10356 of 2009, directing the respondents to consider the application said to have been made by the petitioner on 17.03.2006 and pass appropriate orders within a period of eight weeks from the date of receipt of the said order. It is now

stated across the bar by the learned counsel for petitioner that despite the said order passed by this Court, no action has been taken by the respondent authorities in the direction of considering the application.

6. In the facts and circumstances of the case, this Court finds absolutely no justification on the part of the respondent authorities in not processing the application of the petitioner, despite lapse of considerable length of time.

7. For the aforesaid reasons, Writ Petition is disposed of, directing the respondents herein to process the application of the petitioner dated 17.03.2006 for grant of mining lease for extraction of iron ore in respect of area admeasuring 58.07 acres situated in Survey Nos.613, 614, 615, 616, 617 Part, 618 Part and 619 of Gutupalli Village, Batamcherla Mandal, Kurnool District and pass appropriate orders within a period of six months from the date of receipt of a copy of this order.

8. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

01.02.2016

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