

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.8583 OF 2016

ORDER

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

‘The Hon’ble Court may be pleased to issue a direction or Writ in the nature of Writ of Mandamus declaring the action of the Respondent No. 2 in issuing proceeding Ref No. TSMDC/BO/KMM/ORD (SAND)/ 2015-16/249, Dt. 10-02-2016 by giving contract to Respondent No. 9 in respect of Janampeta sand reach, Pinapaka Mandal without complying with the Telangana State Sand Mining Rules 2015 contemplated in Go Ms. No. 3 Dt. 08-01-2015 and permitting the Respondent No. 9 to excavate the sand illegally and high handedly causing loss to the Petitioners land as illegal, arbitrary and violation of principles of natural justice and violation of Articles 14,21 & 300 A of the Constitution of India and consequently direct the Respondents to cancel the contract and stop the illegal Sand Excavation being done by Respondent No.9 and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.’

Sri Andapalli Sanjeeva Kumar, learned standing counsel for the Telangana State Mineral Development Corporation, stated that under the new Sand Mining Policy, 2015, the Government of Telangana constituted a Complaint Adjudicating Mechanism in the form of a Committee and in the light of the same, it would be open to the petitioner to approach the said Committee for redressal of his grievance, if any, with regard to allotment of sand quarrying rights. A copy of G.O.Ms.No.9, Industries and Commerce (Mines.I) Department, dated 24.02.2016 issued by the Government of Telangana in exercise of powers under Section 15(1) of the Mines and Minerals (Development and Regulation) Act, 1957 is placed on record, whereunder a Complaint Adjudicating Mechanism in the form of a Complaint Adjudicating Committee and an Enquiry Team were constituted.

In the light of the aforestated efficacious remedy available to the petitioner, this writ petition need not be entertained by this Court to

adjudicate upon the grievance of the petitioner.

The writ petition is accordingly closed leaving it open to the petitioner to approach the Complaint Adjudicating Committee in accordance with the procedure laid down in the aforestated G.O. Pending miscellaneous petitions shall also stand closed. No order as to costs.

SANJAY KUMAR, J

16th MARCH, 2016

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