

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION No.539 of 2009

ORDER:

This writ petition was filed challenging the proceedings of the second respondent dated 06.01.2009 determining the lease of the petitioner in respect of 2 hectars of land in Sy.No.160 of Immulnarva Village, Kothur Mandal, Mahaboobnagar District and forfeiting the security deposit for non-payment of determination amount within the stipulated time.

2. When this writ petition is taken up for consideration, the learned Government Pleader submitted that after filing of the present writ petition, the lessee (petitioner) paid all the mineral revenue dues and submitted an affidavit on 30.03.2013 stating that due to local village problems, they were unable to continue the quarrying operations in the leased area and wanted to surrender the quarry lease area and accordingly requested the second respondent to accept the surrender of the above leased land. The learned Government Pleader produced before this Court a copy of the instructions which reads as follows:

“ In this connection, it is submitted that the Mineral Revenue Assessment was prepared by charging Dead Rent six months in advance from the date of surrender of Quarry Lease and as per which the Lessee Co., is due of Rs.11,803-00 and Rs.10-00 towards Dead Rent and Land Assessment respectively. Subsequently, the Lessee Co., has paid the above dues and submitted original challans in this office.

Therefore, this office vide letter No.3124/QL/2004, dt.01.09.2014 & 18.09.2014 submitted surrender proposals to the Director of Mines & Geology, Hyderabad recommending to take necessary action for accepting the total surrender of Quarry Lease.

The Director of Mines & Geology, Hyderabad through proceedings No.5645/R2-3/2014, dt.23.07.2015 accepted the surrender of whole Quarry Lease area over an extent of 2-00 hectares in Sy.No.160 of Immulnarva Village, Kothur Mandal of Mahabubnagar District w.e.f. 30.03.2013 under Rule 16(1) of A.P. Minor Mineral Concession Rules, 1966.

M/s.Mahalaxmi Granite Co., through their letter dt.25.07.2015 requested this office to release the security deposit deposited by

them at the time of execution of the Quarry Lease deed.

Therefore, this office vide proceedings No.3124/QL/2004, dt.30.07.2015 released the Security Deposit amount pledged in the name of Asst. Director of Mines & Geology, Hyderabad vide postal pass book No.405400 dt.09.06.2004 for Rs.80,000-00 in favour of M/s.Mahalazmi Granite Co., Prop. Smt.B.Saritha Mohan.”

3. In view of the above, nothing survives for consideration in the present writ petition and the same is dismissed as infructuous. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 29.03.2016.

TJMR