

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.4045 OF 2010

ORDER:

This writ petition is filed seeking to issue writ of mandamus declaring the action of the respondents in issuing telegram, dated 12-02-2010 wherein quarry operations were stalled without assigning any reasons, quoting judgments of this Hon'ble Court in W.P.No.9753 of 2009, dated 10-08-2009 and W.P.No.9362 of 2009, dated 19-08-2009 and the action of the 4th respondent-Asst., Director in making attempts to cancel the lease executed by the Government in favour of the petitioner in respect of Reach No.13, Kapileswarapuram, East Godavari District and the action of 2nd respondent-Director in not obtaining required clearances and reports as per rule 9-B(6) of A.P.M.M.C. Rules, 1966, though there is ample time for obtaining such clearances and reports from the date of judgments mentioned above, which is duty cast on the respondents, 1,2 and 4, even before conducting auction in respect of the above reach, without taking into consideration the amounts that have been paid to the Government for the first year in respect of the above reach and also the money spent by the petitioner for developing infrastructure like strengthening the ramp, laying approach road, for construction of sheds and for required vehicles etc., as illegal, arbitrary and consequently direct the respondents, 1,2 and 4 not to cancel the lease executed in favour of the petitioner in respect of Reach No.13, Kapileswarapuram by directing respondents 2 and 4 to obtain required clearances and reports as envisaged under A.P.M.M.C. Rules, 1966 within a period as directed by this Court and to accept the 2nd year lease amount as per the agreement.

2. The relief sought for in the present writ petition relates to quarrying the sand. In view of subsequent developments, nothing survives for consideration in the present writ petition.

3. Accordingly, the writ petition is dismissed as infructuous. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 22-03-2016

Hsd