

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Writ Appeal No.954 of 2016

Judgment: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

By the order under appeal, (order in Writ Petition No. 6766 of 2016, dated 2.3.2016), the learned Single Judge, after examining the scope of Rule 26 and Rule 34 of the Andhra Pradesh Minor Mineral Concession Rules, 1966 (for short 'the Rules'), relegated the appellant herein (petitioner in the writ petition) to avail the statutory remedy available to him under law.

Sri Hari Sreedhar, learned counsel for the appellant, submits that the observation in the order under appeal regarding the scope of Rule 26 and Rule 34, would render the appellate remedy available to the petitioner illusory.

While we see no reason to interfere with the order of the learned Single Judge, to the extent the petitioner was relegated to avail the alternate remedy of appeal, we set aside the order to the extent the scope of Rule 26 and Rule 34 of the Rules was examined, leaving it open for the scope of these rules to be examined, if need be, later in appropriate legal proceedings.

The writ appeal is, accordingly disposed of.

Miscellaneous petitions pending, if any, shall also stand dismissed.
There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(U.DURGA PRASAD RAO, J)

28th September 2016



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