

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.39936 OF 2016

Dated:14.12.2016

Between:

M/s. Sri Ganesh Sai Granites & Minerals,
Rep., by its Managing Partner K. Ramana Rao,
S/o. Late K.V. Punnaiah, Occ: Business,
R/o.D.No.49-54-4/67, Plot No.302,
Vaisake Paradise, B.S. Layout,
Seethammadhara, Visakhapatnam .. Petitioner

AND

The State of Andhra Pradesh, rep., by its
Principal Secretary, Department of Mines
And Geology, Secretariat at Velagapudi,
Amaravati, Guntur District and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.39936 OF 2016****ORDER:**

Heard. With the consent of learned counsel for the parties, the Writ Petition is disposed of at the stage of admission.

2. The petitioner was granted quarry lease for road metal and building stone on 18.05.2015 and the same is in operation. Alleging that the villagers of the Veeluparthy Village and surrounding villages have complained against the petitioner that heavy blasting is regularly taking place as part of the quarrying operations, causing damage to their properties and hardship to the local people and the same is also reported in local news papers and villagers have protested, the petitioner was served show cause notice dated 22.10.2016 calling upon it to submit explanation as to why the licence granted to it for crusher and quarry lease should not be cancelled. The petitioner claims to have submitted explanation on 01.11.2016. The grievance of the petitioner is that though it has submitted the said explanation, no orders are passed on it and even though the valid quarry lease exists in its favour, the respondent authorities are not allowing it to undertake quarry operations and not granting transit permits. Hence, this Writ Petition.

3. When the matter is taken up for consideration, learned Government Pleader for Mines and Geology, on instructions, submits that on 19.11.2016, the Assistant Director of Mines and Geology, Vizianagaram, submitted a report against the petitioner

pointing out several illegalities in the operation of quarry. She submits that the matter is pending consideration with the Deputy Director of Mines and Geology and after due consideration of the explanation submitted by the petitioner, a decision is likely to be taken on the show cause notice, dated 22.10.2016, and four weeks time is required for passing the final orders.

4. Learned counsel for the petitioner submits that since valid quarry lease exists in favour of the petitioner, it is entitled for grant of transit permits but the respondent authorities are not granting the same.

5. Having regard to the facts of the case, as serious grievance is expressed by the villagers and since the matter is under active consideration before the Deputy Director of Mines and Geology, I am not inclined to direct the respondent authorities to grant transit permits at this stage.

6. The Writ Petition is accordingly disposed of directing the Deputy Director of Mines and Geology to pass orders on the show cause notice dated 22.10.2016 issued to the petitioner by recording due reasons in support of his decision, after considering the explanation submitted by it, as expeditiously as possible, at any rate, within a period of three weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:14.12.2016

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