

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6081 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a WRIT OF MANDAMUS declaring the action of the 1st respondent in Memo No.17620/M.II(1)/2015-7, dated 17-02-2016 as arbitrary, illegal, unjust, unconstitutional, null and void and contrary to the Rules framed vide GO Ms.No.20, Industries and Commerce Department dated 20-01-2016 apart from fundamental rights guaranteed under Article 19 of Constitution of India and consequently direct the respondents to process the tender of the petitioner (Buyer Registration No.72427 given by MSTC) in respect of Reach No.1, Muggalla Sand Reach, Seethanagaram Mandal, East Godavari District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Learned Assistant Government Pleader for Mines and Geology stated that in the light of the changed policy of the State in relation to sand mining, all notifications issued earlier for grant of mining rights stand cancelled. A copy of Memo No.3066/M.II(1)/2016-3 dated 04.03.2016 issued by the Industries & Commerce Department of the State of Andhra Pradesh is placed on record and bears out this fact.

The prayer of the petitioner therefore does not survive for consideration on merits at this stage.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date:16.03.2016
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