

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7409 of 2016

ORDER:

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

“For the reasons disclosed in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of Respondents in not permitting the petitioner to decast his patta lands bearing

Sy Nos. 717,720,721-1,721-2 and 725/1/B totally admeasuring Ac.16.06 cents situated at Donnikota Village, Nallamada Mandal, Ananthapuram District, as illegal and arbitrary and to consequently direct the Respondents not to obstruct the petitioner and not to prevent him from entering into his above lands for the purpose of removing bushes, black mud, sand, etc so as to make the lands fit for cultivation; Award costs and pass such other or further orders as are deemed 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 sand policy in the State of Andhra Pradesh, the petitioner would have to abide by the new procedure.

A copy of the Memo bearing No.3066/M-II(1)/2016-7 dated 22.03.2016 issued by the Industries & Commerce (M-II) Department of the Government of Andhra Pradesh is placed on record. The policy of the State in relation to de-casting of sand from patta lands is set out in the said Memo.

Subject to the petitioner abiding by the procedure prescribed in the afore-stated Memo, he would be entitled to resort to de-casting of sand from his patta lands.

Sri N. Ranga Reddy, learned counsel for the petitioner, would also state that his client would make an application to the District

Collector, Anantapur, in terms of the new policy.

The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

30th March, 2016
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