

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.34396 OF 2016

DATED : 28.11.2016

Between :

Sri Sri Sri Gurajala Akkammatalli Konda
Pari Rakshana Mariyu Alaya Nirmana
Abhirudhi Committee, Bearing No.688/2015,
Rep., by its President Kudipudi Satyanarayana,
S/o.Pullayya, Aged about 50 yrs, Hindu,
2-209/1, Morampudi Village, Rajahmundry Rural,
East Godavari District.

.. Petitioner

And

State of Andhra Pradesh,
Rep., by its Principal Secretary (Revenue),
Secretariat, Hyderabad & Others.

... Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

This writ petition is filed alleging that respondents 7 and 8 are undertaking illegal mining operations in Sy.No.98 (old No.70), Morampudi Village of Rajahmundry Rural, East Godavari District.

2. Adverting to this allegation, this Court, by order dated 06.10.2016, while directing the respondents 2 to 6 to ensure that no unauthorized or illegal mining activity be undertaken by respondent Nos.7 and 8 or by any other party, also directed for filing of report by the 2nd respondent.

3. In pursuant to the said directions, it appears joint inspection was conducted by Revenue officials, assisted by Assistant Director of Mines and Geology (Vigilance), Rajamahendravaram and Assistant Director of Mines and Geology (Regular), Rajamahendravaram, on 19.10.2016 and report is enclosed to the counter affidavit deposed by Assistant Director of Mines & Geology (FAC), Rajahmundry.

4. Adverting to the findings of the report, in Para No.5 of the counter affidavit it is averred that no mining activity is being undertaken by the respondents 7 and 8. It is averred that during inspection it was noticed that for formation of way proclainer was used to remove the bushes and filled on the other side of the edge to move the proclainer. According to the averments, no material was transported outside the land.

5. In the counter filed by respondents 7 and 8, they have categorically denied the allegation of mining activity as alleged by the petitioner.

6. No other material is brought to the notice of this Court to show that contrary to these averments, mining operations are being under taken.

7. In view of the categorical stand of the respondents, I see no merit in the allegations made in the affidavit filed in support of the writ petition and the writ petition is liable to be dismissed.

8. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

28th November, 2016
Rds

P.NAVEEN RAO,J

