

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.23976 OF 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a Writ of Mandamus or any other appropriate writ directing the 1st respondent to forbear from taking any coercive action to invalidate the mining application of the petitioner in respect of the Iron Ore Mineral Deposits in Sy.Nos.26/E/2 and 26/EE/2 admeasuring 124.189 hectares in Boddugonda Village, Gundur Mandal, Warangal District (presently Mahabubabad District) and further direct the 4th respondent to grant prior approval to the mining lease application of the petitioner dated 18.03.2009, for which NOC was given by the Revenue Department on 03.02.2012 and also grant mining lease in favour of the petitioner concerning the Iron Ore Deposits in Sy.Nos.26/E/2 and 26/EE/2 admeasuring 124.189 hectares in Boddugonda Village, Gundur Mandal, Warangal District (presently Mahabubabad District).”

2. Case of the petitioner is that it is apprehending that the respondents may cancel the “No Objection Certificate” (for short, “N.O.C.”) issued in its favour in order to defeat its interest.
3. Heard and perused the material available on record.
4. Considering all the facts and circumstances of the case and from a perusal of the material available on record, this Court is of the view that only on mere apprehension, the petitioner filed this writ petition. In general, the N.O.C. issued in favour of a particular

person can be cancelled only after issuing a notice and also after giving an opportunity to the said person to make a representation to the authorities concerned.

5. Accordingly, the Writ Petition is disposed directing the respondent authorities to follow the due process of law if they intend to take any steps to cancel the N.O.C. issued in favour of the petitioner. There shall be no order as to costs.

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

Date : 21.07.2017
AMD

JUSTICE RAJA ELANGO



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.23976 OF 2017

Date: 21.07.2017

AMD