

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No. 19973 OF 2017

ORDER:

This writ petition is filed seeking a writ of *mandamus* declaring the action of the respondent authorities in not processing the petitioners' applications dated 25.02.2010 and 01.12.2009 for grant of laterite mining lease in Survey No.1 of Peddakonda, Chintaluru Village, Prathipadu Mandal, East Godavari District, and not permitting them to pay the enhanced fee and deposit in pursuance of G.O.Ms.No.56, Industries and Commerce (M.II) Department, dated 30.04.2016, as arbitrary and illegal.

The petitioners-societies consist of the members belonging to Scheduled Caste community, who are labourers, and the societies have been formed for extracting laterite mining in Chintaluru Village for the upliftment of the entire society. The petitioners-societies made applications dated 25.02.2010 and 01.12.2009 respectively for extraction of mineral in Survey No.1 of Peddakonda, Chintaluru Village, by paying the requisite licence fee and processing fee. The Tahsildar, Prathipadu Mandal, East Godavari District, had also issued NOC *vide* letter dated 18.02.2013 and recommended for grant of mining lease in favour of the petitioners-societies. But, the respondents have not considered their applications for grant of licence. While so, the Government has released a new policy *vide* G.O.Ms.No.56 dated 30.04.2016, enhancing the fee. The grievance of the petitioners-societies is that though they are ready and willing to pay the enhanced fee as per the said G.O., the respondent authorities are

not processing their applications for grant of licence. Hence, this writ petition.

Heard and perused the material available on record.

Learned Government Pleader for Mines and Geology appearing for the respondents submits that the applications of the petitioners-societies were rejected and that if the petitioners intend to file fresh applications as per the conditions imposed in G.O.Ms.No.56 dated 30.04.2016, the respondents will receive the same and pass appropriate orders.

Considering the circumstances of the case, this Writ Petition is disposed of permitting the petitioners-societies to make fresh applications pursuant to G.O.Ms.No.56 dated 30.04.2016 on or before 15.07.2017. On such applications being made, the respondent authorities shall consider the same and pass appropriate orders in accordance with law.

Consequently, Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE RAJA ELANGO

Date: 20.06.2017

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