

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.27502 of 2017

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Mines & Geology.

Alleging inaction on the part of the respondents, in granting quarry lease in favour of the petitioner for Colour Granite over an extent of 1.910 Hectares in Sy.No.363/1 situated in Katikapalli village accounts, SR Puram Mandal, Chittoor District, pursuant to the proposal of the fifth respondent vide letter No.ROC.E/8388/2015, dated 21.09.2015, the present Writ Petition is filed.

According to the petitioner he submitted application for quarry lease for Colour Granite in respect of the above land on 15.10.2012. The grievance of the petitioner, in the present Writ Petition precisely, is that, despite the no objection expressed by the revenue authorities vide letter in ROC.No.E/8388/15 dated 21.09.2015 of the Revenue Divisional Officer, Chittoor, the respondent-mining authorities are not taking any action in the direction of processing the application of the petitioner herein for grant of lease.

Today, when the matter is taken up, written instructions dated 17.08.2017 received from the Assistant Director of Mines

& Geology are placed on record by the learned Government Pleader. The relevant portion of the written instructions, for disposal of the present Writ Petition, reads as under:

“Further, the Revenue Divisional Officer, Chittoor vide Lr.ROC.E/8388/2015, dated 04.09.2015 has requested the Divisional Forest Officer, (East), Chittoor and this office to attend for Joint Inspection at 11.00 a.m. on 11.09.2015 at S.R.Puram Mandal. Further, the Revenue Divisional Officer, Chittoor vide Lr.ROC. E/8388/2015, dated 21.09.2015 has submitted his report to this office and request to place before the District Level Screening Committee for consideration for grant of quarry lease in Sy.No.363/1 over an extent of 1.910 Hectares (4.72 Hectares) in favour of the applicant Sri K.Chandraiah Naidu. Subsequently this office Lr.No.6889/Q/2012, dated 07.10.2015 addressed to the Divisional Forest Officer, (East), Chittoor while enclosing NOC issued by the Tahsildar, S.R.Puram along checklist and requested to offer his remarks of their Department for further process of NOC from the District Level Screening Committee as per G.O.Ms.No.2, dated 02.01.2013.

Further, the applicant has paid Rs.5000/- vide challan No.17848, dated 31.08.2016 towards enhanced application fee and paid Rs.30,000/- vide D.D.No.402368, dated 31.08.2016 towards enhanced deposit amount in shape of Demand Draft.

Further, the Government of A.P. issued new G.O.Ms.No.107, dated 30.07.2016. Hence the application is under process as the NOC is already given by the Revenue Department”.

It is very much evident from the above instructions also that the revenue authorities issued ‘No Objection Certificate’ for grant of lease as long back as on 21.09.2015. In view of the same, this Court does not find any valid reason on the part of the respondents herein in not processing the application of the petitioner herein for grant of lease.

For the aforesaid reasons, the Writ Petition is disposed of, directing the respondents herein to process the quarry lease application of the petitioner herein, dated 15.10.2012, in respect of the subject area and to pass appropriate final orders strictly in accordance with law within a period of three months from the date of receipt of a copy of this order.

As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

18th August, 2017
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A.V.SESHA SAI, J

