

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.17858 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the action of the 2nd respondent in not considering the proposals submitted by the 5th respondent vide Lr.No.2903/M/2015, dated 10.03.2016, of 1st renewal lease of the petitioner for a period of 20 years, as arbitrary, unreasonable and consequently direct the 2nd respondent to consider the proposals submitted by the 5th respondent by granting 1st renewal for a period of 20 years for the Mica mineral lease of the petitioner over an extent of 7.689 Hectors or Ac. 19.00 cents, situated in Survey No.144/3 of Gullamadugu village, Velairpadu Mandal, West Godavari District.

2. Heard both sides and perused the material available on record. With the consent of both the learned counsel, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioner is that the 1st respondent, as per orders in G.O.Ms.No.390, Industries and Commerce (M.III) Department, dated 19.11.1992, has granted mining lease of Mica for Ac. 20.00 of land, situated in Survey No.144/3 of Gullamadugu Village of Velairpadu Mandal, for a period of ten (10) years and the said lease was in force upto 25.11.2002. Before completion of the lease period, on 25.11.2001, within stipulated time, the petitioner made an application to the 5th respondent in a prescribed format, requesting him to renew the lease for a further period of 20 years. The main grievance of the petitioner is that on 24.02.2005, the

said renewal application proposal of the petitioner was sent by the 5th respondent to the 2nd respondent by recommending the renewal of lease, but till now, no order was passed on the said renewal application proposal by the 2nd respondent and the same is pending consideration by the 2nd respondent.

4. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 2nd respondent to expeditiously dispose of the renewal application proposal of the petitioner, which was sent by the 5th respondent to the 2nd respondent.

5. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 2nd respondent to consider the renewal application proposal of the petitioner, which was sent by the 5th respondent to the 2nd respondent, pass appropriate orders, as warranted by law, as expeditiously as possible. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 28th June, 2017

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