

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

WRIT PETITION No.32250 of 2017

ORDER:

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

This Writ Petition, filed under Article 226 of the Constitution of India, assails the alleged inaction on the part of the first respondent-State Government in disposing of the Revision, dated 12.08.2015, filed by the petitioner herein against the demand notice bearing Lr.No.7907/Vg/2008, dated 30.07.2015, under Rule 35 of the Andhra Pradesh Minor Mineral Concession Rules, 1966 (for brevity, 'the Rules'). Followed by the show cause notice and explanation submitted by the petitioner, the second respondent-Assistant Director of Mines & Geology, Rajahmundry ordered recovery of a sum of Rs.62,49,320/- under the Revenue Recovery Act. Aggrieved by the said order, the petitioner herein filed Revision before the first respondent-State Government under Rule 35-A of the Rules.

The grievance of the petitioner, in the present Writ Petition, is the inaction on the part of the first respondent in passing any orders on the said Revision. Learned counsel for the petitioner submitted that, in view of the said inaction on the part of the first respondent, the Assistant Director of Mines & Geology-second respondent herein is insisting upon

the petitioner herein to pay the penalty amount covered by the letter dated 30.07.2015.

Having heard the learned counsel for the petitioner and the learned Government Pleader, this Court, in the facts and circumstances of the case, deems it appropriate to dispose of the Writ Petition, directing the first respondent to dispose of the Revision, dated 12.08.2015, filed by the petitioner herein under Rule 35-A of the Rules, against the letter bearing No.7907/Vg/2008, dated 30.07.2015, within a period of three months from the date of receipt of a copy of this order. In the meanwhile, no coercive action shall be taken.

The Writ Petition is, accordingly, disposed of. Miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

21st September, 2017
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