

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.46549 of 2016

Date: 03.01.2017

Between:

T.Ramaiah, S/o Pullaiah, Aged about 35 years,
R/o. Belum (V), Kolimigundla (M), Kurnool District,
State of Andhra Pradesh.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Principal
Secretary, Department of Mines & Geology & FP(FAC),
A.P.Secretariat, Secretariat Buildings, Velagapudi,
Amaravathi and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner was granted lease for carrying operations of extraction of Lime Stone Slabs for a period of 10 years in the land situated in Sy.No.448/A over an extent of 1.052 Hectares Ramapuram village, Owk Mandal, Kurnool district. Neighbouring person, by name, K.Venkataiah also obtained lease to an extent of 0.430 Hectares for extraction of Lime Stone Slabs. It appears there is a dispute between the petitioner and K.Venkataiah regarding territory in which extraction is permitted. On the complaint given by K.Venkataiah alleging that petitioner was undertaking quarrying operations outside the lease area, survey was conducted in the respective quarry leases. Even though survey was conducted the fixation of boundaries was not finalized due to non availability of Geo-Co-Ordinates. By letter dated 02.07.2016 addressed to the Station House Officer, the Assistant Director of Mines and Geology requested the Station House Officer to stop unauthorized operations in the quarry of petitioner. Petitioner challenges the said letter in this writ petition.

2. When the matter is taken up for consideration, learned Government Pleader, on instructions, submits that there is a boundary dispute and according to the *prima facie* assessment of the Department, petitioner was conducting quarrying of mining operations beyond the leased area. She submits that it is desirable for Department to fix boundaries with the help of

Geo-Co-Ordinates and that Department would undertake demarcation of the boundaries within a period three weeks.

3. Since there is a serious dispute on area of quarrying operations, no direction as sought for can be granted at this stage. As the Department intend to complete demarcation work within a period three weeks, the writ petition is disposed of, without expressing any opinion on merits, directing the Assistant Director of Mines and Geology to determine the boundaries as expeditiously as possible and inform the petitioner the area within which he can undertake the quarrying operations, preferably within a period of three weeks from the date of receipt of copy of this order. Petitioner is directed to cooperate with the Assistant Director of Mines and Geology in early finalization of the issue and in determining the boundaries of the leased land of the petitioner as well as K.Venkataiah.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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