

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

W.P.No.10042 of 2014

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleaders for Mines and Geology and for the Revenue.

2. In the present writ petition, challenge is to the action on the part of the respondents 3 to 5 in not issuing the No-Objection Certificate in favour of the petitioner herein.

3. The Deputy Director of Mines and Geology, Kurnool vide Proceedings No.2317/QL/2012, dated 03.10.2012, accorded permission for transfer of quarry lease for Lime Stone Slabs (Black) over an extent of 0.408 hectares in Sy.No.421 of Palkur Village, Banaganapalle Mandal, Kurnool District for the unexpired lease period up to 10.02.2013 from one Sri B.Uma Sankar Reddy to the petitioner herein. Pursuant to the said orders passed by the Deputy Director of Mines and Geology, the Assistant Director of Mines and Geology, Banaganapalle Mandal, by proceedings dated 03.10.2012 issued a work order also in favour of the petitioner herein. When the earlier period of lease was coming to an end on 10.02.2013, petitioner herein claims to have submitted an application for grant of renewal on 05.02.2013. The Assistant Director of Mines and Geology, Banaganapalle vide letter No.757/QL/2013, dated 05.02.2013, requested the Revenue Divisional Officer to issue No-Objection Certificate in terms of G.O.Ms.No.2, Revenue (Assignment-I) Department dated 02.01.2013. Subsequently, on 06.04.2013, petitioner herein submitted a representation also to the Revenue Divisional Officer requesting to take action in the matter. On 16.04.2013, the Mandal Surveyor, Banaganapalle sent the maps also to the Revenue authorities for taking further action in the matter.

4. The grievance of the petitioner in the present writ petition is that despite the above correspondence made by him, the respondents 3 to 5 are not taking further action in the matter and in view of the same petitioner herein is sustaining heavy and irreparable loss and injury.

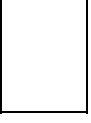
5. Having heard the learned counsel for the petitioner and the learned Government Pleaders, this Court is of the considered opinion that there is absolutely no justification on the part of the respondents 3 to 5 herein in keeping the matter pending in eternity having received the request made by the Assistant Director of Mines and Geology vide Lr.No.757/QL/2013 dated 05.02.2013. No plausible explanation is forthcoming from the respondents as to why no action has been taken so far despite receipt of the above letter as long back as in the month of February, 2013.

6. For the aforesaid reason, the writ petition is disposed of, directing the respondents 3 to 5 herein to take appropriate action in accordance with law in pursuance of the letter of the Assistant Director of Mines and Geology bearing Lr.No.757/QL/2013, dated 05.02.2013, within a period of six weeks from the date of receipt of a copy of this order. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 04.09.2017

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Dated 04.09.2017

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