

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20058 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not processing application of the petitioner dated 14-12-2016 and not granting mining lease in favour of the petitioner herein for an extent of Ac.166.97 cents situated in survey number Un Surveyed Hill Portion (USHP) of Vanthada Village, Pathepadu, East Godavari District as illegal, arbitrary, unreasonable and violative of 14 of the Constitution of India and contrary to the provisions contemplated under A.P.Minor and Mineral Concession Rules, 1966 and consequently direct the respondents herein to grant mining lease in favour of the petitioner herein in terms of his application and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The main grievance of the petitioner herein is that the respondents are not processing his application, dated 14.12.2016, and not granting mining lease in his favour for the aforesaid land.
3. Today, W.P.M.P.No.26356 of 2017 is allowed impleading M/s.Aurelia Laterite Mining Private Limited as respondent No.4 in the writ petition as well as in the other miscellaneous petitions, as it claims a right over the aforesaid lease property.
4. Learned Government Pleader for Mines and Geology appearing for respondent Nos.1 to 3 submitted that in connection

with the subject matter, W.P.(PIL)No.48 of 2016 is pending before the Hon'ble I Division Bench of this Court.

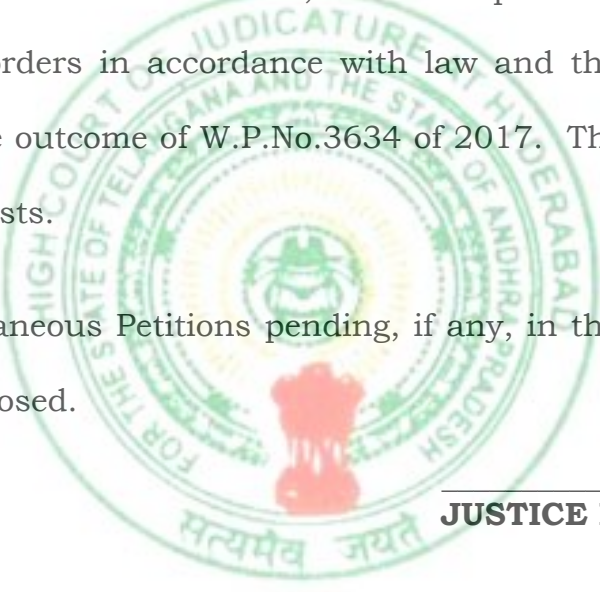
5. Learned counsel appearing for respondent No.4 submitted that in connection with the subject matter, respondent No.4 filed W.P.No.3634 of 2017 before this Court and the same is pending.

6. Considering the facts and circumstances of the case, this Writ Petition is disposed of with the following direction:

The respondents are hereby directed to process the application, dated 14.12.2016, of the petitioner and pass appropriate orders in accordance with law and the same will be subject to the outcome of W.P.No.3634 of 2017. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

30.06.2017
AMD

 **JUSTICE RAJA ELANGO**

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Date: 30.06.2017

AMD