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

WRIT PETITION No.31348 of 2017

ORDER:

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

The alleged inaction on the part of the respondents, in passing orders on the application, dated 19.07.2017, submitted by the petitioner herein for grant of quarry lease for Dolomite over an extent of 27.00 Hectares in Sy.No.192/1 of Koyachelaka Village, Raghunathapalem Mandal, Khammam District, is under challenge in the present Writ Petition.

According to the petitioner it submitted an application for grant of quarry lease for Dolomite in respect of an extent of 27.00 Hectates in Sy.No.192/1 of Koyachelaka Village, Raghunathapalem Mandal, Khammam District on 19.07.2017 to the Assistant Director of Mines & Geology-fourth respondent herein. The fourth respondent, as per the procedure stipulated under G.O.Ms.No.4 Revenue (Assn-I) Department, dated 19.01.2015, addressed a letter bearing Lr.No.6465/Q/2017, dated 19.07.2017, requesting the Revenue Divisional Officer, Khammam-fifth respondent herein to furnish 'No Objection Certificate' on the applied area so as to enable the mining authorities to proceed further with the process of consideration of the application of the petitioner herein. It is submitted by the learned counsel for the

petitioner that, though the Assistant Director of Mines & Geology-fourth respondent herein made the said request as long back as in the month of July, 2017, there is no response from the fifth respondent in the direction of furnishing 'No Objection Certificate'. According to the learned counsel for the petitioner the said action on the part of the fifth respondent is not in consonance with the instructions issued by the State Government vide G.O.Ms.No.4 Revenue (Assn-I) Department, dated 19.01.2015, and the same is resulting in irreparable loss and hardship to the petitioner herein.

This Court does not find any justification on the part of the fifth respondent in not responding to the request made by the fourth respondent vide letter dated 19.07.2017.

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, with a direction to the fifth respondent to take appropriate action pursuant to the letter bearing Lr.No.6465/Q/2017, dated 19.07.2017, and to consider furnishing 'No Objection Certificate' within a period of one month from the date of receipt of a copy of this order, strictly in accordance with law. It is further directed that the respondent Nos.1 to 4 shall take appropriate action thereafter on the quarry lease application, dated 19.07.2017, submitted by the petitioner herein, and to pass appropriate orders within a period of two months.

The Writ Petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in the Writ Petition, shall stand closed.

A.V.SESHA SAI, J

09th October, 2017.
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