

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.56 of 2017

Date: 04.01.2017

Between:

Ch.Seetha Ramaiah S/o. Venkaiah,
Aged 60 years, Business, r/o.Darsi Agraharam (V),
Martur Mandal, Prakasam District.

.....Petitioner

and

The Director of Mines & Geology, Government of
Andhra Pradesh, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner is aggrieved by the order of cancellation of mining lease granted to the petitioner in Sy.No.324/P of Boppudi village, Chillakalurpet Mandal, Guntur District. This order is in pursuance to the earlier direction of this Court in W.P.Nos.22027 and 30220 of 2014. On elaborate consideration of the issue and on duly taking note of the directions of the Supreme Court, order of cancellation was passed. It is not the case of the petitioner that Director of Mines & Geology is not competent to pass such order nor is the case of the petitioner that the said order was passed without prior notice or opportunity to him.

2. Against order of the Director, an appeal shall lie to the Government under Rule 35 of the A.P.Minor Mineral Concession Rules, 1966 (for short, 'Rules, 1966'). Except contending that petitioner had no other alternative remedy, there are no averments as to why petitioner has not availed the remedy of appeal provided under Rules. It is not the case of the petitioner that such remedy is not efficacious. Since an effective and efficacious alternative remedy by way of appeal is provided against the order of Director of Mines and Geology, this Court is not inclined to entertain the writ petition at this stage and writ petition is liable to be dismissed and is accordingly dismissed, leaving it open to the petitioner, if so advised, to file appeal as provided under Rule 35 of the Rules, 1966.

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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