

ORDER:

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

“to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, by declaring the action of the 2nd respondent in not to dispose the application No.5049, dated 03-08-2016, for to transfer of the quarry lease to an extent of 2.500 Hectors in Sy.No.419, situated at Pattupuram Village, Kotabommali Mandal, Srikakulam District, Andhra Pradesh, as per the un-amended Rule 12(5)(h)(viii) of the A.P.Minor Mineral Concession Rules, 1966, which was in force at the time of the submission of application, without reference to the amended Rule notified vide G.O.Ms.No.29, dated 15-02-2017, as illegal, arbitrary, violate of article 14, 19 and 21 of Constitution of India and against the principles of natural justice and consequently to direct the 2nd respondent to dispose the application No.5049, dated 03-08-2016, for to transfer of the qurry lease to an extent of 2.500 Hectors in Sy.No.419, situated at Pattupuram Village, Kotabommali Mandal, Srikakulam District, Andhra Pradesh, as per the un-amended Rule 12(5)(h)(viii) of the A.P.Minor Mineral Concession Rules, 1966, which was in force at the time of the submission of application, without reference to the amended Rule notified vide G.O.Ms.No.29, dated 15-02-2017, and pass such other order or orders as may deem fit and proper in the circumstances of the case.”

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Mines and Geology appearing for respondents and perused the prayer in the writ petition with supporting affidavit and the other material on record.

3. It is the submission of the learned Government Pleader that it is in the process to consider the representation of the petitioner on own merits.

4. Having regard to the above, this Writ Petition is disposed of, with a direction to the respondents, to dispose of the representation of the petitioner within a period of four weeks from the date of receipt of copy of this order, on own merits.

5. Consequently, miscellaneous petitions, if any shall stand closed.

No order as to costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 24.01.2018
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