

WRIT PETITION No.2243 of 2018

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, to declare the action of the Respondent No.4 herein in not granting quarry lease of Building stone and road metal in the land in Sy.No.222 admeasuring 13.50 hectares situated at Jayyaram village, Palakurthy Mandal, Karimnagar District even after submitting the No Objection Certificate (NOC) issued by the 4th respondent, as being illegal, arbitrary and unjust and consequently direct the 3rd respondent to quarry lease in favour of the petitioner herein, and to grant such other relief or reliefs as this Hon'ble court deems fit and proper”

2. Heard the learned counsel for the petitioner, the learned Government Pleader for Mines and Geology appearing for respondent Nos.1 to 3 and the learned Government Pleader for Revenue appearing for respondent No.4 and perused the prayer in the writ petition with supporting affidavit, other material on record and the written instructions received by the learned Government Pleader for Mines and Geology.

3. It is the submission of the learned counsel for the petitioner that despite No Objection Certificate (for short 'NOC') obtained that was issued by respondent No.4-Tahsildar, respondent Nos.1 to 3 are not granting the license, for no valid reason.

4. Whereas, it is the submission of the learned Government Pleader for Mines and Geology from the written instructions that there are three more prior applications, even before the petitioner applied with said NOC and it is under consideration to decide as per the Rules on own merits.

5. Having regard to the above, this Writ Petition is disposed of, directing the respondents to consider the application of the petitioner on own merits as regard to the entitlement of the petitioner if any. If the petitioner has any further grievance, it is left open.

6. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 29.01.2018
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