

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION Nos.7930 and 7931 of 2018

COMMON ORDER:

These Writ Petitions are filed under Article 226 of the Constitution of India, seeking the following reliefs:

W.P.No.7930 of 2018:

“.....to issue such appropriate writ, order or direction, more so particularly one in the nature of Mandamus declaring the inaction of the second respondent in issuing the despatch permits to the petitioner for despatching minor mineral from the quarry lease area admeasuring 1-00 hectares in Survey No.67 of Kondakindam Village, Bondampally Mandal, Vizianagaram District covered by Proc.No:4435/ Q/ 2012, during subsistence of the lease period though similarly situated other lessees are issued dispatch permits, is not only discriminatory but also arbitrary and illegal and pass such other order ...”

W.P.No.7931 of 2018:

“.....to issue such appropriate writ, order or direction, more so particularly one in the nature of Mandamus declaring the inaction of the second respondent in issuing the despatch permits to the petitioner for despatching minor mineral from the quarry lease area admeasuring 5-00 hectares in Survey No.67 of Kondakindam Village, Bondampally Mandal, Vizianagaram District covered by Proc.No:3414/ Q/ 2012, during subsistence of the lease period though similarly situated other lessees are issued dispatch permits, is not only discriminatory but also arbitrary and illegal and pass such other order ...”

2. Heard learned counsel for the petitioners and learned Government Pleader for Mines and Geology appearing for the respondents and perused the prayer in the writ petition with supporting affidavit and other material on record including the order of this Court in W.P.Nos.2935 and 2938 of 2018, dated 02.02.2018.

3. It is the submission of the learned Government Pleader that since the lease area is covered under Sy.No.67 of Kondakindam Village, Bondampally Mandal, Vizianagaram District, other than Sy.No.187/ 2, they have no objection to issue despatch permits to the petitioners for dispatch of mineral from the quarry lease area,

pursuant to the direction of this Court in W.P.Nos.2935 and 2938 of 2018.

4. Having regard to the above and by recording the said submissions, these Writ Petitions are disposed of directing the respondents to issue dispatch permits in favour of the petitioners for these two mining operations concerned.

5. Miscellaneous petitions pending, if any, shall stand closed.

No costs.

Dr. B. SIVA SANKARA RAO, J

Date: 12.03.2018

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