

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.7914 of 2018

ORDER:

Heard learned counsel for the petitioner, learned Government Pleaders for Mines and Geology and Revenue for the official respondents and perused the prayer in the writ petition with supporting affidavit and order of this Court in W.P.No.3572 of 2015 dated 03.11.2015 and G.O.Ms.No.104 dated 26.07.2016 received on 04.08.2017.

2. The prayer in the writ petition reads as follows:

“.....to issue Writ of Mandamus declaring the inaction of the 2nd respondent in considering petitioner application dated 27-07-2017 and 02-02-2015 is unconstitutional, irrational and Violative of Art 14 and 21 of Constitution of India and consequently direct the 2nd respondent to issue sanction/permission to the petitioner for De-Casting of the sand in accordance with G.O.Ms.No.104 dated 26-07-2017 in the land of the petitioner admeasuring Ac 6.70 cents situated in Sy.No.32/1 to 6 and 34/1 to 6 of Chinnuru Bit-I, Tippavarappadu Village, Gudur Mandal, Nellore District forthwith and to pass such other order or orders as this Hon'ble Court...”

3. It is the grievance of the petitioner from the affidavit averments in support of the prayer that despite direction of this Court dated 03.11.2015 in W.P.No.35728 of 2015 to reconsider the application of the petitioner to take proper action and despite subsequent G.O.Ms.No.104 dated 26.07.2017 and pursuant to which also the latest application is dated 27.07.2017 acknowledged on 04.08.2017, the respondents are not disposing of the same.

4. Having regard to the above, this Writ Petition is disposed of directing respondent Nos.2 and 3 to consider the said application of the petitioner on own merits and pass appropriate orders, preferably within five weeks from the date of receipt of copy of this order and communicate the same to the petitioner. Further grievance of the petitioner is left open.

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

No costs.

Date: 12.03.2018
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Dr. B. SIVA SANKARA RAO, J

