

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No. 5147 of 2009

O R D E R:

This writ petition is filed seeking to issue a writ of *Mandamus* declaring the action of respondent No.1 in issuing Memo No.1735/M.I(1)/2009-1, dated 12.02.2009 as illegal and arbitrary and consequently, direct respondent Nos.1 to 3 to restrain respondent No.6 in conducting mining operations for iron ore over an extent of Ac.38.461 Hectares in USHB of Mettupalli Village, Peapully Mandal, Kurnool District.

2. Heard learned counsel for petitioner and learned Government Pleader for Mines and Geology.

3. Learned Government Pleader for Mines and Geology submitted the written instructions dated 28.08.2018 given by respondent No.3 and the relevant para at page No.3 reads thus:

"Further it is submitted that the Royalty Inspector Office of the Asst., Director of Mines and Geology, Kurnool has inspected the subject area on 05.03.2013 and reported that no mining operations were carried out in the leased area. The Lease is not working for more than 2 years, hence, the Asst., Director of Mines and Geology, Kurnool was submitted lapsed proposals to the Director of Mines and Geology, Hyderabad

under Rule 28(1) of Mineral Concession Rules, 1960 vide Lr.No.7298/M4/2005, dated 06.03.2013 and as per records of the Asst., Director of Mines and Geology, Kurnool no orders have been received from the Govt., for cancellation of the mining lease granted to M/s.Hi-Grade Minerals, Prop: Sri D.Ramana Kumar in the subject area."

4. In view of the categorical statement made in the written instructions, dated 28.08.2018, no further orders are necessary in the writ petition.

5. Accordingly, the writ petition is closed. No costs.

6. Miscellaneous Petitions, if any pending, shall stand closed.

24th October, 2018
Mjl/*

KONGARA VIJAYA LAKSHMI, J

