

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.21224 of 2018

ORDER:

The alleged inaction on the part of the 2nd respondent in disposing of the appeal said to have been filed by the petitioner herein on 19.06.2018 against the Orders of the Deputy Commissioner of Mines and Geology, Guntur, vide proceedings No.4318/Q4/2017, dated 17.10.2017, is the grievance of the petitioner in the present Writ Petition is filed.

According to the petitioner, he submitted a quarry lease application for Road Metal & Gravel, in respect of an extent of 50.000 Hectares of Hill Block No.XIV, Pitakayagulla village, Bestavaripeta Mandal, Prakasam District and the said application was received by the Assistant Director of Mines and Geology/4th respondent on 08.11.2016. The Deputy Director of Mines and Geology/R.3 herein issued a show-cause notice, dated 05.09.2017, asking the petitioner as to why the application of the petitioner herein should not be rejected. Thereafter, by way of an Order, vide proceedings No.4318/Q4/2017, dated 17.10.2017, the Deputy Director of Mines and Geology, on the recommendations made by the Assistant Director of Mines and Geology, rejected the application of the petitioner herein under Rule 13(1) of A.P.M.M.C.Rules, 1966. According to the petitioner, aggrieved thereby, he filed an appeal under Rule 35-A of the A.P.M.M.C.Rules, 1966, on 19.06.2018. It is stated in the affidavit filed in support of the Writ Petition that pending adjudication of the appeal, the respondent authorities are trying to allot the mining area in favour of third parties. It is submitted by the

learned Counsel for the petitioner that if the same is permitted, the statutory appeal presented by the petitioner would become infructuous.

Having heard the learned Counsel for the petitioner and the learned Government Pleader for the respondents and taking into consideration the nature of controversy, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the Director of Mines and Geology/2nd respondent herein to dispose of the appeal, dated 19.06.2018, said have been preferred by the petitioner herein, strictly in accordance with law, as expeditiously as possible.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

Date :16.07.2018
Smr

JUSTICE A.V.SESHA SAI

