

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.22271 of 2018

ORDER:

Heard Sri K.G.Krishna Murthy, learned Senior Counsel representing Sri K.Ramamohan, learned counsel for the petitioner on record and the learned Government Pleader for the respondents.

2. The non-consideration of the transfer application of the petitioner dated 18.02.2016 in respect of quarry lease in Sy.No.169 & 1 of Bandapalli village and Chinthalgunta village and Mandal, Chittoor District for Black Granite to an extent of 4-008 hectares is under challenge in the present writ petition.

3. The second respondent vide proceedings No.5962/R4-2/2005, dated 21.03.2005, granted quarry lease for Black Granite for a period of 20 years in favour of M/s.Madhu Granites and the said M/s.Madhu Granites along with the petitioner herein made a joint application in Form-"R" dated 18.02.2016 to the second respondent for transfer of quarry lease as per Rule 12(5) (h) (VIII) of A.P. Minor Minerals Concession Rules, 1966.

4. The grievance of the petitioner in the present writ petition is that despite lapse of considerable length of time, the respondent authorities are not passing any orders on the said transfer application and in view of the same petitioner herein is sustaining irreparable loss and hardship.

5. On the other hand, it is submitted by the learned Government Pleader that in view of amendment to Rule 12 (5) (h) (VIII), the application of the petitioner herein cannot be considered.

6. Admittedly, the transfer application submitted by the petitioner herein is pending consideration before the second respondent and no orders have been passed on the said application so far and the second respondent has to pass the order in one way or the other and cannot keep the application pending.

7. After hearing the learned counsel for the petitioner and the learned Government Pleader and having regard to the facts and circumstances of

the case, this Court deems it appropriate to dispose of the writ petition without expressing any opinion on the merits of the case, directing the second respondent herein to pass appropriate orders on the application dated 18.02.2016 in respect of quarry lease in Sy.No.169 & 1 of Bandapalli village and Chinthalgunta village and Mandal, Chittoor District for Black granite to an extent of 4-008 hectares, within a period of two months from the date of receipt of a copy of this order, in accordance with law.

6. Accordingly the writ petition is disposed of. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:23.07.2018
grk





THE HON'BLE SRI JUSTICE A.V.SESHA SAI



W.P.No.22271 of 2018

Dated: 23.07.2018

grk