

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.24550 OF 2018

ORDER:

Heard learned Counsel for the petitioners and learned Government Pleader for Mines and Geology for respondents.

According to the petitioners, they are the permanent residents of Aregudem village, Nelakondapally Mandal, Khammam District, and they are agriculturists and also doing coolie works for eking out their livelihood and they are having small houses in the said village and residing therein. It is further stated that the 3rd respondent-Deputy Director of Mines and Geology granted quarry lease for building stone and road metal over an extent of 1.60 hectars and 2.00 hectars in Sy.No.78 (Government land) of Konaigudem village, Nelakondapally Mandal, Khammam District, in favour of respondents No.9 and 10. The sum and substance of the case of the petitioners in this Writ Petition is because of the quarry lease operations undertaken by the unofficial respondents herein and in view of the huge sound blasts occurring during the said process, the walls of the petitioners' houses are getting affected and that the unofficial respondents are conducting quarry operations without adhering to the conditions in the permission. According to the petitioners, on 28.05.2018 they submitted a representation to the 5th respondent-the District Collector requesting for necessary enquiry in respect of the blasting operations and the 5th respondent forwarded the same to the Revenue Divisional Officer-R.6 for necessary action. Despite lapse of considerable length of time, no action has been taken so far. It is further stated that on 02.07.2018, the petitioners herein

approached the Tahsildar-R.7 and explained about the damage to their houses and the walls in view of the blasting operations in Sy.No.78 and requested for necessary action. It is alleged in the writ affidavit that even after receiving the representations by the respondents No.5 to 7, no enquiry has been held and no report has been called for. It is submitted by the learned Counsel for the petitioners that because of the blasting operations being undertaken by the unofficial respondents, the petitioners herein are sustaining irreparable loss and hardship. The writ affidavit also alleges violation of Rule 12 of the A.P.Minor Mineral Concession Rules, 1966, against the 8th respondent.

Having heard the learned Counsel for the petitioners and learned Government Pleader, this Court deems it appropriate to dispose of the Writ Petition, with a direction to respondents No.1 to 7 to hold enquiry on the allegations made by the petitioners herein, pursuant to the representation submitted by the petitioners on 28.05.2018, and take appropriate action, strictly in accordance with law, as expeditiously as possible.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. No costs.

JUSTICE A.V.SESHA SAI

Date :07.08.2018
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