

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THURSDAY, THE THIRTIETH DAY OF APRIL,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WP .Nos: 11540 AND 11748 of 2015

Between:

M/s. N.V. Exports

(a Partnership Firm Registered under the Indian Partnership Act)

Rep. by its Managing Partner N.Venkateswara Reddy S/o Venkat Reddy

D.No.36-18 (F) Saibaba Nagar, Kurnool Road, Ongole - 523002 Prakasam
District.

..... Petitioner in both Writ Petitions

AND

- 1 The State of Andhra Pradesh, Industries & Commerce (Mines) Dept.,
Rep. by its Principal Secretary, Secretariat Buildings, Hyderabad.
- 2 The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue
(Assignments) Dept., Secretariat Buildings, Hyderabad.
- 3 The Director of Mines & Geology, Burgula Rama Krishna Rao Bhavan,
A.P., Hyderabad.
- 4 The Collector & Chairman of The District Level Screening Committee,
Prakasam District at Ongole.
- 5 The Revenue Divisional Officer, Ongole Division, Ongole, Prakasam
District.
- 6 The Tahsildar, Ballikurava Mandal, Ballikurava, Prakasam District.
- 7 The Asst. Director of Mines & Geology, Ongole, Prakasam Dist.

.....Respondents in both Writ Petitions

WP .No: 11540 of 2015

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more in the nature of Mandamus or any other appropriate writ declaring the action of the 4th Respondent not giving NOC as per the report vide Proc. in Rc.D/1226/2014, dt.17-09-2014 of the 5th Respondent in terms of GOMs.No.2 Revenue (Assts.) Department dt.02-01-2013, for grant of quarry lease over the land an extent of Ac.5.97 in Sy.No.934/28 and an extent of Ac.2.90 cents in Sy.No.934/29 and in total an extent of Ac.8.87 cents situated at Mallayapalem @ Konidena Village, Ballikurava Mandal, Prakasam District as illegal and arbitrary and consequently direct the 4th Respondent to give NOC in terms of the report dt.17-09-2014 of the 5th Respondent in compliance of the guide lines issued under GOMs.No.2 Revenue (Assts.) Department dt.02-01-2013.

WP .No: 11748 of 2015

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more in the nature of Mandamus or any other appropriate writ declaring the action of the 4th Respondent not giving NOC in terms of GOMs.No.2 Revenue (Assessments) Dept. dt.02-01-2013 for grant of quarry lease over the land an extent of Ac.8.53 cents in Sy.No.1025C/2B of Mallayapalem @ Konidena Village, Ballikurava Mandal, Prakasam District inspite of report vide Proc. in RCA/267/2011 dt.30-08-2011 submitted by the 5th Respondent as illegal and arbitrary consequently direct the 4th Respondent to grant NOC in terms of the guide lines issued under GOMs.No.2 Revenue (Assessments) Dept. dt. 02-01-2013.

These petitions coming on for hearing, upon perusing the Petitions and the affidavits filed in both Writ Petitions and upon hearing the arguments of Sri K. Ananda Rao, Advocate for the Petitioner in both Writ Petitions, G.P. for Mines & Geology (AP) for Respondent Nos.1, 3 & 7 and G.P. for Revenue (AP) for Respondent Nos.2, 4 to 6 in both Writ Petitions, the Court made the following

ORDER:

In these two writ petitions, learned Government Pleaders for Revenue and Mines have received instructions, which state that in terms of G.O.Ms.No.2, dated 02-01-2013, the issue of No Objection Certificate in respect of licencees for grant of mining lease and quarry lease in respect of Government lands is before the District Level Screening Committee and that appropriate steps are being taken to dispose of the applications of the petitioners by the said Committee.

In view of that, there shall a direction to the 4th respondent to consider the petitioners' applications in the next District Level Screening Committee meeting and pass appropriate orders in accordance with law.

Post after Summer Vacation, 2015.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Industries & Commerce (Mines) Dept., State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
- 2 The Principal Secretary, Revenue (Assignments) Dept., State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
- 3 The Director of Mines & Geology, Burgula Rama Krishna Rao Bhavan, A.P., Hyderabad.
- 4 The Collector & Chairman of The District Level Screening Committee, Prakasam District at Ongole.
- 5 The Revenue Divisional Officer, Ongole Division, Ongole, Prakasam District.
- 6 The Tahsildar, Ballikurava Mandal, Ballikurava, Prakasam District.
- 7 The Asst. Director of Mines & Geology, Ongole, Prakasam Dist.

(Addressees 1 to 7 BY RPAD)

- 8 One CC to Sri K. Ananda Rao, Advocate (OPUC)

- 9 Two CCs to the G.P. for Mines & Geology (AP), High Court, Hyderabad. (OUT)
 - 10 Two CCs to the G.P. for Revenue (AP), High Court, Hyderabad. (OUT)
 - 11 One spare copy.
- nnr

HIGH COURT

VVA,J

DATED: 30-4-2015

NOTE: Post after Summer Vacation, 2015

ORDER

W.P.Nos. 11540 & 11748 OF 2015

DIRECTION

HIGH COURT

Nnr
Date of Drafting : 04-05-2015

VVA,J

DATED: 30-4-2015

NOTE: Post after Summer Vacation, 2015

ORDER

W.P.Nos. 11540 & 11748 OF 2015

DIRECTION