

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.26422 of 2018

ORDER:

Heard Smt.N.Shoba, learned Counsel for the petitioner and the learned Government Pleader for Mines and Geology for the Telangana, for the respondents.

2. The alleged inaction on the part of the 1st respondent-State Government in passing the Orders on the application of the petitioner, dated 23.06.2010, for grant of mining lease for Manganese Ore, over an extent of Ac.165.87/67.126 Hects., in Sy.No.71, 79/P, 82, 83/P, 87, 88/P and 89 of Gollaghat village, Thamsi Mandal, Adilabad District, is under challenge in the present Writ Petition.

3. According to the petitioner, the respondent-authorities granted Prospecting Licence for Manganese Ore over an extent of Ac.517.82 in S.Nos.67, 71, 72 to 74, 75/A to 75/D, 78/A, 78/B, 79, 80, 82, 83/A to 83/C, 85, 86, 87/a to 87/3, 88/1, 882 and 89 of the said village for a period of two years and an agreement was also entered into on 14.07.2009, followed by the Work Orders of the Assistant Director of Mines and Geology, dated 14.07.2009, for a period of two years commencing from 14.07.2009 to 13.07.2011. It is further stated that the petitioner herein submitted an application for mining lease in respect of an extent of Ac.188.00 in Sy.Nos.71, 79/P, 80/P, 82, 83/P, 85 to 87, 88/P and 89 of the said village to the Assistant Director of Mines and Geology in terms of Rules on 23.06.2010 in Form I and the same was acknowledged by the Assistant Director of Mines and Geology vide proceedings Lr.No.1753/M/2010, dated 24.06.2010. Subsequently, in view of

the withdrawal of the consent by the Pattedars, vide Memo No.43065/R7-3/2010, dated 30.05.2012, the Director of Mines and Geology passed orders directing the Assistant Director of Mines and Geology to reduce the extent, as requested by the petitioner. In terms of the said Memo, the petitioner herein submitted a revised survey sketch to an extent of Acs.165.87/67.126 Hects., and as there was no action in processing the application, the petitioner herein submitted a letter to the Principal Secretary on 14.06.2016.

4. According to the learned Counsel for the petitioner, despite lapse of considerable length of time, the respondent-authorities are not taking any action on the mining lease application of the petitioner herein.

5. When the matter is taken up today, a Governmental Order issued by the State Government vide G.O.Ms.No.44, Industries and Commerce (M>II) Department, dated 26.07.2018, is placed on record by the learned Government Pleader, wherein the Government of Telangana constituted a State Level Committee with as many as 3 members, consisting of the Director of Mines and Geology, Hyderabad, the Deputy Controller of Mines, Indian Bureau of Mines, Hyderabad, and the Deputy Director General SU, Telangana, Geological Survey of India, SR, Hyderabad, to scrutinize the mineral concession proposals and to submit a report in the light of the provisions of Section 10A(2)(b)(i) to (iv) of the Mines and Minerals (Development and Regulation) Amendment Act, 2015. While referring to the said Governmental Order, it is submitted by the learned Government Pleader that the application of the petitioner herein is one among them which are placed before

the above said Committee and appropriate decision will be taken basing on the recommendations of the State Level Committee, so constituted.

6. Having heard the learned Counsel for the petitioner and the learned Government Pleader, and having regard to the Orders of the State Government vide G.O.Ms.No.44, dated 26.07.2018, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the respondent-authorities to take a final decision on the mining lease application of the petitioner herein, dated 23.06.2010, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

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

Date:20.08.2018
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JUSTICE A.V.SESHA SAI

