

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.26872 of 2018

ORDER:

The alleged inaction on the part of the respondent No.4-District Collector, Chittoor District, in taking action pursuant to the letters addressed by the Director of Mines and Geology,/R.3 herein on 01.03.2017, 03.10.2017 and 16.04.2018 is under challenge in the present Writ Petition.

The petitioner herein made an application for grant of quarry lease in respect of the land admeasuring 7.000 Hectors in Sy.No.134 (new Survey No.453) of Thugundram village of G.D.Nellore Mandal, Chittoor District. The said application was referred to the revenue authorities by the Assistant Director of Mines and Geology for *no objection certificate*. Thereafter, the matter was placed before the District Level Scrutiny Committee and the District Level Scrutiny Committee on 04.02.2016 took a decision not to issue *no objection certificate* and the District Collector communicated the said decision to the Assistant Director of Mines and Geology vide Roc.No.E8/8423/2015, dated 17.02.2016.

Thereafter, the Director of Mines and Geology, Government of A.P./R.3 herein addressed letters bearing No.17560/R5-1/2010, dated 01.03.2017; No.17560/R5-1/2010, dated 03.10.2017; and No.17560/R5-1/2010, dated 16.04.2018, requesting the District Collector to re-examine the proposals and enquire into the matter while referring to the Orders of the State Government in G.O.Ms.No.74, Industries and Commerce (M1) Department, dated 16.02.2002.

The grievance of the petitioner, in the above background, is that despite the said letters addressed by the Director of Mines and Geology, no action, whatsoever, has been taken by the District Collector/R.4 herein.

According to the learned Counsel for the petitioner, the said action on the part of the District Collector/R.4 is highly illegal, arbitrary, unreasonable and violative of the Article 14 of the Constitution of India besides being opposed by the very spirit and object of the provisions of the A.P.Minor Mineral Concession Rules, 1966.

Having received the above mentioned letters, dated 01.03.2017, 03.10.2017 and 16.04.2018, this Court finds no justification on the part of the District Collector/R.4 herein in not taking any action, as requested in the said letters by the Director of Mines and Geology, and R.4 cannot keep the matter pending.

Having heard the learned Counsel for the petitioner and the learned Government Pleaders for Revenue; and Industries and Commerce, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the District Collector/R.4 herein to take action/pass appropriate Orders pursuant to the letters, dated 01.03.2017, 03.10.2017 and 16.04.2018, as expeditiously as possible, preferably within a period of three months from the date of receipt of a coy of this Order.

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

JUSTICE A.V.SESHA SAI

Date:27.09.2018
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