

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

WRIT PETITION No.28812 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Mines and Geology.

According to the petitioner he submitted an application on 16.11.2013, for quarry lease over an extent of 5.000 Hectares in Sy.No.297 of J.Annavaram Village, Yeleswaram Mandal, East Godavari District, for road metal and boulders. The Deputy Director of Mines & Geology, Kakinada-third respondent herein issued a show cause notice, dated 10.07.2018, calling upon the petitioner to show cause as to why the quarry lease application of the petitioner should not be rejected as per Rule 13 (1) of the A.P.Minor Mineral Concession Rules, 1966 (for brevity, 'the Rules').

In response to the said show cause notice, petitioner herein submitted explanation on 27.07.2018 and also an additional explanation, dated 08.08.2018, The apprehension of the petitioner, as advocated by the learned counsel for the petitioner, is that the respondent authorities, by totally ignoring the provisions of Rule 9-A of the Rules, may reject the quarry lease application of the petitioner herein and the third respondent herein may grant quarry lease in favour of the unofficial respondents herein simultaneously.

On the other hand, learned Government Pleader requested this Court to dismiss the Writ Petition as premature.

Since the explanation and additional explanation, dated 27.07.2018 and 08.08.2018 respectively, said to have been submitted by the petitioner, are pending before the Deputy Director of Mines & Geology, Kakinada-third respondent herein, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the third respondent to pass appropriate orders, by duly considering the explanation, dated 27.07.2018, and additional explanation, dated 08.08.2018, filed by the petitioner herein, strictly in accordance with law, and after taking into consideration the relevant provisions of the Rules. However, this order will enure to the benefit of the petitioner, only if the application of the petitioner herein is pending as on today.

Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

14th August, 2018
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A.V.SESHA SAI, J