

HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.30400 OF 2018

ORDER:

Heard Smt N.Shoba, learned counsel for the petitioner, learned Government Pleader for Revenue, appearing for the respondents 2, 3 and 4, and learned Government Pleader for Mines and Geology, appearing for the respondents 1 and 5.

The alleged inaction on the part of the respondent – authorities in taking action pursuant to the letter bearing No.2401/ML/2016, dated 04.05.2018, of the Assistant Director of Mines and Geology, Nagarkurnool District, is under challenge in this writ petition.

According to the petitioner, the Director of Mines and Geology, on 30.01.2017, granted quarry lease for Quartz in an extent of Ac.6.00 guntas in Survey Nos.136, 171/1, 172/A, 172/AA, 172/2E and 172/1Ru of Japthi Sadagode Village, Uppununthala Mandal, Nagarkurnool District for a period of 20 years. Thereafter, the Assistant Director of Mines and Geology has entered into a lease deed on behalf of the State on 08.02.2017 and has issued work order for a period of 20 years with effect from 08.02.2017 to 08.02.2037. It is further submitted that the petitioner has been carrying on the quarrying operations, strictly in accordance with terms and conditions of the lease, and transporting the minerals after issuance of dispatch permits by the office of Assistant Director of Mines and Geology, on payment of advance royalty. It is also averred in the writ petition that the only approach road to reach the main road is the road from Japthi Sadagode to Marrepally, which is not a private road, and there is no other road way for transportation of the minerals from his quarry. Due to the alleged interference of certain local people, the petitioner,

initially after complaining to the Police, Uppununthala, submitted representations to the Tahsildar, Uppununthala Mandal, and to the Assistant Director of Mines and Geology seeking interference of the authorities in the matter so as to enable the petitioner herein to transport the minerals quarried from the subject area. Accordingly, the Assistant Director of Mines and Geology informed the same to the Tahsildar *vide* his letter No.2401/ML/2016, dated 04.05.2018, requesting the Tahsildar, Uppununthala Mandal, Nagarkurnool District *i.e.*, 4th respondent to take necessary action in the matter, while forwarding a copy of the representation submitted by the petitioner. In the above backdrop, the grievance of the petitioner is that despite receipt of the letter by the Tahsildar, addressed by the Assistant Director, no action has been taken so far.

Having heard learned counsel for the petitioner, learned Government Pleader for Mines and Geology, this Court deems it appropriate to dispose of the writ petition with a direction to the respondents 3 and 4 to take further action pursuant to the letter No.2401/ML/2016, dated 04.05.2018, of the Assistant Director of Mines and Geology *i.e.*, respondent No.5, Nagarkurnool, as expeditiously as possible.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any pending, shall also stand disposed of in consequence.

A.V.SESHA SAI, J

Date: 27.08.2018.
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