

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.47514 of 2018

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the first respondent in not passing orders in the appeal filed by the petitioner dated 01.12.2018 questioning the orders of determination in D.Dis.No.767636/R12-1/2018 dated 13.08.2018 and the action of the third respondent in processing the third party application for grant of quarry lease and the action of the second respondent in proceeding to grant quarry leave over an extent of 2740 hectares in Sy.No.2 & 9 of Agraharam and T.Sadam Villages, Tanakal Mandal, Anantapuram District, as arbitrary and illegal.

2) Though various grounds are raised, learned counsel for the petitioner would submit that a direction may be given to the appellate authority to dispose of the appeal filed by the petitioner at the earliest.

3) Learned Government Pleader for Mines and Geology would submit that no appeal has been filed by the petitioner as such the question of disposing of the appeal would not arise. The same in my view is incorrect since the appeal was sent through registered post on 10.12.2018. If the said appeal papers which are sent by way of Registered Post are not received till date, the petitioner shall furnish a set of appeal papers along with other material papers to the appellate authority, in which event the appellate authority shall dispose of the appeal at the earliest. However, if there is an application for stay is made, the same shall be dealt with in accordance with law, preferably,

within a period of three weeks from the date of receipt of a copy of the order. Till such time the authorities may not take any coercive steps.

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

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

28.12.2018
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JUSTICE C. PRAVEEN KUMAR