

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 897 of 2020

ORDER:

This writ petition is filed challenging the action of respondents 2 to 6 in not taking appropriate steps against the illegal mining activity being carried out by respondents 7 and 8 and their men in Survey No.525. 525/1 & 525/2 of Pinapaka Village, Thallada Mandal.

Heard learned counsel for the petitioner.

The 7th respondent filed counter affidavit stating that a small bould was there in the schedule land which was causing inconvenience for cultivation and hence he applied for permission to level the small bould and cultivate the land without any inconvenience; that the 3rd respondent granted permission vide permit No.P7KHM00306, dt.03.10.2019 to level the land from 03.10.2019 to 01.12.2019. It is further stated that he leveled the land and there is no commercial activity involved in it; that the gravel is leveled there and then and there is no sale of gravel; and that at present, Jam Oil plantation is conducted. He denied the contentions of the petitioner that the schedule land is hillock; that the pattadar pass books were obtained fraudulently; and that he deployed men and machinery for mining activity. It is also stated that the assignment in his favour is strictly in accordance with law and that when his assignment was challenged before the Lokayukta and the Lokayukta was pleased to close the

proceedings. Finally, it is stated that he is cultivating the schedule land and not intending to conduct any mining activity.

Though time is sought no reply affidavit is filed by the petitioner disputing the facts in counter affidavit filed by the unofficial respondent.

Heard learned Assistant Government Pleader for Mines and Geology, learned Assistant Government Pleader for Revenue and learned counsel for the unofficial respondents.

Since there is categorical assertion by the unofficial respondent that he is not carrying out any mining activity; and that he leveled the subject land only for the purpose of cultivation, recording the same, the writ petition is closed. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

10.02.2020
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