IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 14551 OF 2026

Between:

M/s. VIP Bricks, Rep. by its Proprietor Sri Ambati Sathish, S/o. Buchaiah, Age 31 years, Occ. Business, R/o. H.No 9-93/1, Gowreddypeta Village, Peddapalli Mandal and District

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary, Industries and Commerce (Mines and Geology) Department, Government of Telangana, Secretariat buildings, Tank Bund, Hyderabad, Telangana.
2. The Director of Mines and Geology Government of Telangana, 2nd Floor, My Homes Sarovar Complex, Adarshnagar, Secretariat Road, Hyderabad-500063.
3. The District Collector, Peddapalli, Peddapalli district.
4. The Assistant Director of Mines and Geology, Peddapalli district

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the Respondents in not considering the representations given by the Petitioner dated 22.01.2026 and 03.02.2026 seeking for extension of time to lift the mineral, ordinary earth quantity of 15,883 MT which is stocked in Sy.No.270/1, from Oora Cheruvu of Kothapalli Village, Peddapalli Mandal

and District as arbitrary, illegal, unconstitutional and violative of principles of natural justice and consequently direct the Respondent authorities to extend the time period granted in the proceedings No.57/Ord.Earth/2022, dt.11.09.2025 by permitting the. Petitioner to lift the mineral, ordinary earth for the quantity of 15,883.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent authorities to consider the representations dated 22.01.2026 and 03.02.2026 by extending the time period granted in the proceedings No.57/Ord.Earth/2022, dt.11.09.2025 in order to permit the Petitioner to lift the mineral, ordinary earth for the quantity of 15,883 MT in the interest of justice pending disposal of the above writ petition.

Counsel for the Petitioner: SRI MUKKERA SAHITHI SRI KAVYA

Counsel for the Respondent Nos.1,2 & 4: SRI K.GAUTHAM REDDY, AGP FOR MINES & GEOLOGY

Counsel for the Respondent No.3: GP FOR REVENUE

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.14551 OF 2026

DATE OF ORDER: 30.04.2026

Between:

M/s. VIP Bricks

...Petitioner

AND

The State of Telangana
Represented by its Principal Secretary,
Industries & Commerce (Mines and Geology)
Department, Secretariat, Hyderabad and others.

...Respondents

ORDER : (ORAL)

This writ petition is filed by the petitioner seeking to declare the action of the respondent authorities in not considering its representations dated 22.01.2026 and 03.02.2026 seeking extension of time to lift the mineral, ordinary earth quantity of 15,883 metric tons, which is stocked in Survey No.207/1, Ooracheruvu of Kothapalli Village, Peddapalli Mandal and District, as being illegal, arbitrary and unconstitutional.

2. Heard Ms. Mukkera Sahithi Sri Kavya, learned counsel for the petitioner; Mr. K.Gautham Reddy, learned Assistant Government Pleader for Mines and Geology, appearing for the respondents; and perused the material on record.

3. It is submitted that the petitioner is having a brick kiln industry in Survey No.87b/a and 88b of Gowreddipet Village, Peddapalli Mandal and District. The brick kiln unit was registered *vide* registration No.51/Bricks/2021-23 dated

10.05.2022. The petitioner was granted permission for excavation of ordinary earth/stilt from Ooracheruvu of Kothapalli Village, Peddapalli Mandal and District for a quantity of 2412 metric tons for exclusive supply for manufacture of bricks *vide* proceedings No.57/ORD/Earth/2022 dated 25.05.2022 issued by respondent No.4. It is further submitted that the petitioner excavated the ordinary earth for the purpose of manufacturing bricks within the area earmarked by the irrigation authorities and the petitioner transported the mineral by obtaining valid permissions and by paying required seigniorage fee from time to time. That permission to excavate the ordinary earth was given to five (5) other persons in the same area.

4. While things stood thus, on 13.06.2022, joint inspection was conducted by the Mines and Geology, Revenue and Irrigation Departments and it was found that the excess ordinary earth to an extent of 95,294 metric tons was excavated from Ooracheruvu of Kothapalli Village, Peddapalli Mandal and District. According to the learned counsel for the petitioner, it is not known nor there is any material to show that the petitioner is responsible for such excavation of excess mineral since there are five (5) other persons/permit holders who have been granted permission for carrying out excavation. It is submitted that penalty was imposed on the petitioner and the said 5 persons and each of them was asked to pay seigniorage fee to the extent of 15,883 metric tons each. The petitioner was directed to pay ten (10) times penalty together with normal seigniorage fee

for the excavation of excess mineral quantity of 15,883 metric tons. In that connection, respondent No.4 issued proceedings No.57/Ord.Earth/2022 dated 07.06.2023 directing the petitioner to pay the 10 times penalty together with normal seigniorage fee. In response the petitioner submitted reply dated 11.07.2023 to such demand, however demand notice No.366/De-siltation of tanks/Kothapally/2022-2 dated 05.08.2023 was issued to the petitioner calling upon to pay the total amount of Rs.38,08,152/- (Rupees thirty eight lakhs eight thousand one hundred and fifty two only) towards normal seigniorage fee along with 10 times penalty and other statutory amount.

5. Learned counsel for the petitioner submitted that pursuant to the G.O.Ms. No.60 dated 12.03.2025 the petitioner paid the normal seigniorage fee along with two (2) times penalty along with other statutory amount under OTS (One Time Settlement) scheme and respondent No.4 issued proceedings No.57/Ord.Earth/2022 dated 11.092025 permitting the petitioner to transport the ordinary earth for a quantity of 15,883 metric tons which is stocked in Survey No.270/1 of Ooracheruvu Shivaru of Kothapalli Village, Peddapalli Mandal and District for exclusive supply for manufacture of bricks at the petitioner's brick unit for a period up to 30.09.2025. Learned counsel further submitted that though the permission was granted up to 30.09.2025 *vide* order dated 11.09.2025, the petitioner was not allowed by respondent No.3 to excavate the mineral for extraneous reasons. Aggrieved thereby, the petitioner submitted

representations dated 22.01.2026 and 03.02.2026 seeking extension of time to lift the mineral, ordinary earth quantity of 15,883 metric tons, which is stocked in Survey No.207/1, Ooracheruvu of Kothapalli Village, Peddapalli Mandal and District by extending the time period granted in the proceedings dated 11.09.2025. However, no action has been taken so far, as such, the petitioner is constrained to approach this Court.

6. Learned Assistant Government Pleader for Mines and Geology submitted that the petitioner did not specify the time for which extension was sought. The petitioner was required to mention the time within which the stock of 15,883 metric tons of ordinary earth can be lifted. However, learned Assistant Government Pleader submitted that the representations of the petitioner will be considered in accordance with law.

7. Recording the aforesaid submissions, without expressing any opinion on merits, this writ petition is disposed of directing respondents No.3 and 4 to consider the petitioner's representations dated 22.01.2026 and 03.02.2026 seeking extension of time to lift the mineral, ordinary earth quantity of 15,883 metric tons, which is stocked in Survey No.207/1, Ooracheruvu of Kothapalli Village, Peddapalli Mandal and District by extending the time period granted in the proceedings dated 11.09.2025, by giving opportunity of hearing to the petitioner, and pass appropriate orders in accordance with law, within a period of

two (2) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the writ petition, stand closed.

SD/-K.V.O. NARSI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Industries and Commerce (Mines and Geology) Department, Government of Telangana, Secretariat buildings, Tank Bund, Hyderabad, Telangana.
2. The Director of Mines and Geology Government of Telangana, 2nd Floor, My Homes Sarovar Complex, Adarshnagar, Secretariat Road, Hyderabad-500063.
3. The District Collector, Peddapalli, Peddapalli district.
4. The Assistant Director of Mines and Geology, Peddapalli district
5. One CC to SRI MUKKERA SAHITHI SRI KAVYA, Advocate [OPUC]
6. Two CCs to GP FOR MINES & GEOLOGY, High Court for the State of Telangana at Hyderabad . [OUT]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad . [OUT]
8. Two CD Copies

PMK

HIGH COURT CC TODAY

DATED: 30/04/2026



ORDER

WP.No.14551 of 2026

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

12
30/04/26