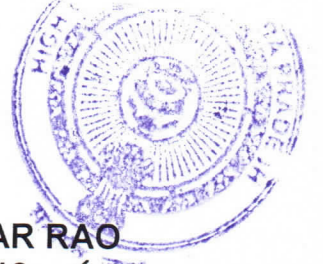


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION Nos. 2464 OF 2019 and 32873 of 2018



W.P.No.2464 OF 2019:

Between:

S V Narayana Reddy, Rep. by his GPA Holder Mr. Rajiv Goyal, S/o. Chhabildas Goyal, age 46 years, R/o. 2-259-4, Bala Subbaiah Nagar, Pamur village and Mandal, Prakasam District.

...Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce (M.I) Dept, AP Secretariat, Velagapudi, Amaravathi, Guntur District.
2. Director of Mines and Geology, Ibrahimpatnam, Krishna District.
3. Assistant Director of Mines and Geology, Vizianagaram, Vizianagaram District.
4. The Divisional Forest Officer, Vizianagaram, Vizianagaram District.
5. The Forest Range Officer, Salur Mandal Vizianagaram 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 writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, action of Respondent No.5 in retaining the machinery of the Petitioner letting and not allowing the Petitioner to move the same from the leased area granted on mining lease vide G.O.Ms.No.60, Industries and

Commerce (M.I) Department, dated 21.02.2014, mining lease for Manganese Ore in over an extent of 21.77 hectares in un-surveyed area of Putikavalasa village, hamlet of DiguvaMedangi, Tallur Mandal, Vizianagaram District as arbitrary, illegal, unjust and unconstitutional, in violation of principles of natural justice and without jurisdiction

IA NO: 1 OF 2019(W.P.M.P.No.1 OF 2019):

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents 4 and 5 to permit the Petitioner to removes the machinery and vehicles bearing No. JH 08 B 4165 in over an extent of 21.77 hectares in un-surveyed area of Putikavalasa village, hamlet of DiguvaMedangi, Tallur Mandal, Vizianagaram District, Pending disposal of WP 2464 of 2019, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dated 30.01.2024 made herein and upon hearing the arguments of SRI V V SATISH, Advocate for the Petitioner, and of GP FOR MINES & GEOLOGY, for the Respondent Nos.1 to 3, and of GP FOR FORESTS, for the Respondent Nos.4 & 5

W.P.No.32873 OF 2018:

Between:

S.V. Narayana Reddy, Rep. by his GPA Holder Mr. Rajiv Goyal, S/o. Chhabildas Goyal, age 46 years, R/o. 2-259-4, Bala Subbaiah Nagar, Pamur village and Mandal, Prakasam District.

...Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce (M.1) Dept, AP Secretariat, Velagapudi, Amaravathi, Guntur District.
2. Director of Mines and Geology, Ibrahimpatnam, Krishna District.
3. Assistant Director of Mines and Geology, Vizianagaram, Vizianagaram District
4. The Divisional Forest Officer, Vizianagaram, Vizianagaram District.
5. The Forest Range Officer, Salur Mandal Vizianagaram District.
6. The Director A.P.G.D.C. Survey of India, Uppal, Hyderabad, Telangana
(R6 is Impleaded as per C.O. dt.25/10/2021 in IA.No.4/2021.)

...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 writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, questioning the action of Respondents 4 and 5 in interfering with the mining activities of the Petitioner and transportation of mining of Manganese ore in over an extent of 21.77 hectares in un-surveyed area of Putikavalasa village, hamlet of Diguva Medangi, Tallur Mandal, Vizianagaram District. In pursuant to the grant orders vide G.O.Ms.No.60, Industries and Commerce (M.I) Department, dated 21.02.2014 as arbitrary, illegal, unjust and unconstitutional, without jurisdiction and without notification under the A.P. Forest Act, 1967 and Mines and Minerals (Development and Regulation) Act 1957 and Mineral Concession Rules 1960

IA NO: 1 OF 2018(W.P.M.P.No.1 of 2018):

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents 4 and 5 not to interfere with the mining operations of petitioner in over an extent of 21.770 hec. In un-

surveyed area of Putikavalasa Village, H/o DiguvaMedangi, Tallur Mandal, Vizianagaram District, Pending disposal of WP 32873 of 2018, on the file of the High Court.

IA NO: 1 OF 2021

Petition under Section 151 of CPC is filed 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 no.4 and 5 to conduct survey of the mining lease area in over an extent 21-.77 Hects. in un-surveyed area of putikavalasa village, H/o. DiguvaMedangi, Tallur Mandal, Vizianagaram District for a period of 20 years vide G.O.M.SNo. 60 Industries and commerce(M.I) Department, dt 21-02-2004, Pending disposal of WP 32873 of 2018, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier Order of the High Court dated 26.09.2018, & 05.02.2021 & 30.01.2024 made herein and upon hearing the arguments of SRI V V SATISH Advocate for the Petitioner, and of GP FOR MINES & GEOLOGY, for the Respondent Nos.1 to 3, and of GP FOR FORESTS, for the Respondent Nos.4 & 5, and of SRI O.UDAYA KUMAR, Advocate for the Respondent No.6, the Court made the following

COMMON ORDER:

“This Court vide order dated 30.01.2024, directed the respondents to conduct a joint survey in the presence of the petitioner and other officials in accordance with G.O.Ms.No.60, dated 21.02.2014.

The learned counsel for the petitioner submitted that as directed by this Court, the respondent authorities have conducted survey in the presence of the writ petitioner.

The respondents are directed to place the survey report before this Court.

List the matter after two (02) weeks."

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Principal Secretary, Industries and Commerce (M.I) Dept, State of Andhra Pradesh, AP Secretariat, Velagapudi, Amaravathi, Guntur District.
2. Director of Mines and Geology, Ibrahimpatnam, Krishna District.(Addresses 1 & 2 By SPECIAL MESSENGER)
3. Assistant Director of Mines and Geology, Vizianagaram, Vizianagaram District.
4. The Divisional Forest Officer, Vizianagaram, Vizianagaram District.
5. The Forest Range Officer, Salur Mandal Vizianagaram District.
6. The Director, A.P.G.D.C, Survey of India, Uppal, Hyderabad, Telangana
7. The Assistant Director, Survey of Land Records, Parvathi Manyam District
8. The Tahsildar, Salur Mandal, Parvathipuram Manyam District
9. The Mandal Surveyor, Salur Mandal, Parvathi Manyam District
10. The Forest Range Officer, Salur, Parvathipuram Manyam District
11. The District Forest Officer, Parvathi Manyam District
(Addressees 3 to 11 by RPAD)
12. One CC to SRI. V V SATISH Advocate [OPUC]
13. One CC to SRI O.UDAYA KUMAR, Advocate [OPUC]

14. Two CCs to GP FOR MINES & GEOLOGY, High Court of Andhra Pradesh [OUT]
15. Two CCs to GP FOR FORESTS, High Court of Andhra Pradesh [OUT]
16. **One spare copy**

PSK

HIGH COURT

TRR,J

DATED:19.08.2024

NOTE: LIST THE MATTER AFTER TWO WEEKS

ORDER

WRIT PETITION Nos. 2464 OF 2019 and 32873 of 2018

INTERIM DIRECTION

