

APHC010138822020



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3504]

WEDNESDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 8353/2020

Between:

1.M/S SALASR GRANITES, A REGD. PARTNERSHIP FIRM FATHER
NAME B.MANOHARI AGE 52 ADDRESS 57, LIONS
LANE,HANUMAN NAGAR,JAIPUR

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, ADDRESS DEPARTMENT OF
MINES AND GEOLOGY, SECRETARIAT BUILDING, VELAGAPUDI,
REP BY ITS PRINCIPAL SECRETARY.
- 2.THE DEPUTY DIRECTOR OF MINES AND GEOLOGY, ADDRESS
SRIKAKULAM DISTRICT AT SRIKAKULAM.
- 3.THE ASST DIRECTOR OF MINES AND GEOLOGY, ADDRESS ASN
COLONY, NEAR TUPAKULA BUILDING, BONDILIPURAM JUNCTION,
SRIKAKULAM- 532001

...RESPONDENT(S):

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 of mandamus declaring that the show cause notice No. 439/MDL/SKLM/2017-18 Dt 15-04-2020 as illegal arbitrary, vague and without jurisdiction and violative of principles of natural justice r/w Article 19 and 300A of the Constitution of India and consequently set-aside the same.

IA NO: 1 OF 2020

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 restrain the Respondent No.3 from proceeding against the petitioner with reference to the show cause notice No. 439/MDL/SKLM/2017-18 Dt 15-04-2020 pending disposal of the W.P

Counsel for the Petitioner:

1.UTTARA LEGAL

Counsel for the Respondent(S):

1.GP FOR MINES AND GEOLOGY (AP)

The Court made the following:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 8353 of 2020

ORDER:-

The instant writ petition has been filed by the petitioner under Article 226 of Constitution of India seeking the following main prayer:

“....to issue a writ of mandamus declaring that the show cause notice No. 439/MDL/SKLM/2017-18 Dt 15-04-2020 as illegal arbitrary, vague and without jurisdiction and violative of principles of natural justice r/w Article 19 and 300A of the Constitution of India and consequently set-aside the same....”

2. On 25.02.2026 this Court passed the following order:

“Learned counsel for the petitioner drawn the attention of this Court to the dictum passed by this Court in W.P.No.8356 of 2020 dated 06.10.2020 and according to him, the present case is squarely covered to the said decision.

Learned Assistant Government Pleader sought time to verify the same.

Post the matter on 02.03.2026.”

3. The matter was adjourned from time to time on hereby mentioned dates 02.03.2026, 09.03.2026, 16.03.2026, and 01.04.2026 respectively. Finally, the matter was listed today, i.e., on 08.04.2026.

4. Today, when the matter is taken up for hearing, the petitioner as well as the learned Assistant Government Pleader for Mines and Geology had jointly

submitted that the instant lis is directly covered by the dictum laid down in the orders dated 06.10.2020 in W.P. No. 8356 of 2020 and batch. Considering the above facts and circumstances, and taking into consideration of the submissions made by both the learned counsel, as the matter is squarely covered, this Court is inclined to pass the same order in the following terms.

5. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

6. As a result, the impugned Show Cause Notice No.439/MDL/SKLM/2017-18 dated 15.04.2020 issued by respondent No.3 is hereby set aside. However, it is needless to mention that the respondents are at liberty to take appropriate action in accordance with law, strictly in terms of the dictum in W.P.No.8356 of 2020 and batch.

7. Registry is directed to annex the order dated 06.10.2020 in W.P.No.8356 of 2020 and batch of this Court along with the instant case orders.

As a sequel, all pending applications shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 08.04.2026
RMR

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THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 8353 of 2020

08.04.2026

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