

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

**FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 8391 OF 2026



Between:

Kolli Siva Naga Murali, S/o. Kolli Subrahmanyam Aged about 41 years, R/o First floor, 4-67-3/1/5, MIG 73, Lawsons bay colony, Opp. Miracle software systems, Visakhapatnam, A.P- 530017

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Secretary, Industries and Commerce (Mines-I) Department, Secretariat, Velagapudi, Amaravathi, AP - 522 238.
2. The Commissioner and Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, D.No.7-104, B-Block, 5th and 6th Floors, Ibrahimpatnam, Vijayawada, AP - 521 456.
3. The District Mines and Geology Officer (FAC), Department of Mines and Geology, D.NO.2-2/4D/15, M.I.G-108, M.V.P. Colony, Sector-6, Visakhapatnam, Andhra Pradesh - 530017.
4. The Divisional Director of Mines and Geology, Department of Mines and Geology, Narsipatnam, Anakapalli District, Andhra Pradesh - 531116.
5. M/s. Murali Krishna Agro Farms & Estates Private Limited, Represented by its Director Bairi Kumara Swamy. 6-13-2, P.S.N Residency, 3rd Floor, Koyya Street, Near SFS Church, Chinna Waltair, M.V.P. Colony, Visakhapatnam, A.P.-530017

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may

be pleased to issue a WRIT OF MANDAMUS or any other appropriate Writ or Order or Direction, setting aside the impugned Memo No. 3072112/M. 1(2)/ 2025 (4319/2025) dated 12.02.2026 issued by the 1st Respondent, setting aside the transfer of quarry lease in favour of the Petitioner without issuance of any prior notice, as it is arbitrary, illegal, without jurisdiction, besides being violative of the principles of Natural Justice, contrary to the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and the APMMC Rules, 1966, and violative of the rights of the Petitioner guaranteed under Articles 14, 19(1)(g) and 300-A of the Constitution of India,

IA NO: 1 OF 2026

Petition under Section 151 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 SUSPEND the impugned Memo No. 3072112/ M.I (2)/ 2025 (4319/2025) dated 12.02.2026 dated 12.02.2026, issued by the Respondent No.1, Pending disposal of WP 8391 of 2026, 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 upon hearing the arguments of M/s.CKR ASSOCIATES Advocate for the Petitioner, GP FOR INDUSTRIES COMMERCE for Respondent Nos.1 to 4, Sri M.Prudvi Raju-Caveator for R5 and the Court made the following.

ORDER

In terms of the order dated 07.04.2026 passed by this Court, the matter was listed today. The learned counsel for the petitioner reiterated his core submission that the impugned order dated 12.02.2026 was passed by the 1st respondent without providing any notice to the petitioner.

2. On the other hand, the learned Assistant Government Pleader for Mines and Geology, based upon the instructions, submitted that the 1st respondent authority had not issued notice to the petitioner.

3. However, the learned counsel for the respondent No.5 submitted that the transfer order dated 25.08.2025 of 3rd respondent, which was subject matter of impugned order dated 12.02.2026 before the 1st respondent based upon fabricated documents only. The 5th respondent asserted that impugned order dated 12.02.2026 is sustainable.

4. Having regard to the aforesaid facts, coupled with the specific submission advanced by the concerned Asst. government Pleader, at this juncture this Court is of a prima facie view that impugned order dated 12.02.2026 passed by the 1st respondent, without giving prior notice to the petitioner, is contrary to Rule 35-A of the A.P. Minor Mineral Concession Rules, 1966, as well as in contravention of the principles of natural justice, as held in Krishnadatt Awasthy Vs. State of Madhya Pradesh and Another reported in (2025) 7 Supreme Court Cases 545 and Triveni Engineering and industries Limited v. state of Uttar Pradesh and Others, reported in (2026) 2 Supreme Court Cases 729. Thus, the matter requires consideration.

5. Hence, there shall be an interim suspension for a period of four (04) weeks.

6. The learned Assistant Government Pleader is directed to file a counter addressing the specific issues asserted in writ affidavit.

List after two (02) weeks.

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Secretary, State of Andhra Pradesh, Industries and Commerce
(Mines-I) Department, Secretariat, Velagapudi, Amaravathi, AP - 522
238. (by **Special Messenger**)

2. The Commissioner and Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, D.No.7-104, B-Block, 5th and 6th Floors, Ibrahimpatnam, Vijayawada, AP - 521 456.
3. The District Mines and Geology Officer (FAC), Department of Mines and Geology, D.NO.2-2/4D/15, M.I.G-108, M.V.P. Colony, Sector-6, Visakhapatnam, Andhra Pradesh - 530017.
4. The Divisional Director of Mines and Geology, Department of Mines and Geology, Narsipatnam, Anakapalli District, Andhra Pradesh - 531116.
5. Director Bairi Kumara Swamy, M/s. Murali Krishna Agro Farms & Estates Private Limited, 6-13-2, P.S.N Residency, 3rd Floor, Koyya Street, Near SFS Church, Chinna Waltair, M.V.P. Colony, Visakhapatnam, A.P.-530017 (addressee 2 to 5 by **RPAD**)
6. One CC to SRI. CKR ASSOCIATES Advocate [OPUC]
7. Two CCs to GP FOR INDUSTRIES COMMERCE, High Court of Andhra Pradesh. [OUT]
8. One spare copy

HIGH COURT

MRK,J

DATED:10/04/2026

List after two (02) weeks

ORDER

WP.No.8391 of 2026

INTERIM SUSPENSION

