

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

MONDAY, THE TENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE K SURESH REDDY
WRIT PETITION NO: 8552 OF 2023**



Between:

K.Venkata Ramana, S/o Late K.Raja Rao, Aged about 60 years, Occ. Business,
Residing at 99, Parama Reddy Hills, Near Rajendra Nagar Ring Road, Hyderabad-
500048, Telangana State.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce (M-III) Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director for Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
3. The Asst. Director of Mines and Geology., Govt. Offices complex, opp. Prakasam Bhavan, Trunk Road, Ongole -523 001.
4. M/s Venkateswara Granite, Rep. by its proprietor, Pamidi Venkata Rao, R. L. Parum Village, Chimakurthy Mandal, Prakasam District. Also at D.No8-385, Mangamoor Road, Near Andhra Bank, Sundhar Nagar, Lawyerpet, Ongole Prakasam District, 523002.
5. Mr.Gopala Krishna Dwivedi, IAS, Principal Secretary, Industries and Commerce (M-III) Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
6. Mr.V.G.VenkataReddy, Director, O/o Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
7. Mr.N.Obul Reddy, Asst. Director, O/o Mines and Geology Department, Govt. Offices complex, opp. Prakasam Bhavan, Trunk Road, Ongole -523 001.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri C.V.R.RUDRA PRASAD presented this 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 appropriate Writ, order, direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in granting quarry lease for Black Galaxy Granite over an extent of 2.786 hectors in Sy.no 65/1A of R.L.Puram Village, Chimakurthy Mandal, Prakasam District in favour of 4th respondent as result of fraud, collusion, colourable exercise of power, favoritism shown by public servants, discrimination, trying to over reach the judicial dictum apart from illegal, violative of the Mines and Minerals (D&R) Act, 1957 and the A.P. Minor Mineral Concession Rules, 1966, violative of the Fundamental Rights guaranteed under Articles the, 14, 19 (1) (g) and 21 of the Constitution of India consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri C.V.R.Rudra Prasad, Advocate for the Petitioner and GP for Mines and Geology for the Respondent Nos.1 to 3 and Sri T.S.Sreedhar, learned counsel filed Caveat on behalf of the Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Industries and Commerce (M-III)Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The Director for Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
3. The Asst. Director of Mines and Geology., Govt. Offices complex, opp. Prakasam Bhavan, Trunk Road, Ongole -523 001.
4. The Proprietor, M/s Venkateswara Granite, Pamidi Venkata Rao, R. L. Parum Village, Chimakurthy Mandal, Prakasam District. Also at D.No8-385, Mangamoor Road, Near Andhra Bank, Sundhar Nagar, Lawyerpet, Ongole Prakasam District, 523002.
5. Mr.Gopala Krishna Dwivedi, IAS, Principal Secretary, Industries and Commerce (M-III)Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
6. Mr.V.G.VenkataReddy, Director, O/o Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
7. Mr.N.Obul Reddy, Asst. Director, O/o Mines and Geology Department, Govt. Offices complex, opp. Prakasam Bhavan, Trunk Road, Ongole -523 001.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, within three weeks.

IA NO: 1 OF 2023

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 stay all further proceedings pursuant to file No.7282/Q/2022, including notice no. 2012/D9/2022, dated 24.02.2023 of the 2nd Respondent, pending disposal of WP No.8552 of 2023, on the file of the High Court.

**The Court made the following:
ORDER:**

“Notice before admission. The learned Government Pleader for Mines and Geology takes notice on behalf of the respondent Nos.1 to 3 and Sri T.Sreedhar, learned counsel, filed Caveat on behalf of the 4th respondent. The learned counsel for the petitioner is permitted to take out personal notice to the respondent Nos.5 to 7 by registered post with acknowledgment due and to file proof of service into the Registry.

At their request, post after three(3) weeks for filing counters.

Since the impugned order passed by the 2nd respondent in Notice No.2012/D9/2022, dated 24- 02-2023, is contrary to his own order passed earlier in Proceedings No.2865/D9/2022, dated 28-10-2022, there shall be an interim stay, as prayed for, till then."

Sd/- U.Sri Devi
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Industries and Commerce (M-III)Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The Director for Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
3. The Asst. Director of Mines and Geology., Govt. Offices complex, opp. Prakasam Bhavan, Trunk Road, Ongole -523 001.
4. The Proprietor, M/s Venkateswara Granite, Pamidi Venkata Rao, R. L. Parum Village, Chimakurthy Mandal, Prakasam District. Also at D.No8-385, Mangamoor Road, Near Andhra Bank, Sundhar Nagar, Lawyerpet, Ongole Prakasam District, 523002.
5. Mr.Gopala Krishna Dwivedi, IAS, Principal Secretary, Industries and Commerce (M-III)Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
6. Mr.V.G.VenkataReddy, Director, O/o Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
7. Mr.N.Obul Reddy, Asst. Director, O/o Mines and Geology Department, Govt. Offices complex, opp. Prakasam Bhavan, Trunk Road, Ongole -523 001.
(Addressee Nos.1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to Sri. C.V.R.Rudra Prasad, Advocate [OPUC]
9. One CC to Sri. T.Sreedhar, Advocate [OPUC]
10. Two CCs to GP for Mines & Geology, High Court of AP [OUT]
11. One spare copy

MM

HIGH COURT

KSRJ

DATED:10/04/2023

NOTE: POST AFTER THREE (3) WEEKS FOR FILING COUNTERS

NOTICE BEFORE ADMISSION

WP.No.8552 of 2023

INTERIM STAY

