

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



FRIDAY, THE TWENTY FOURTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

: PRESENT:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 8982 OF 2026

Between:

M/s. Pragathi Aqua & Mineral Products Pvt. Ltd., Rep. by it Managing Director,
G. Rekha Rani, W/o. Gorripati Venkata Surya Prasad, Aged 52, R/o. 1-38/9,
FF-1, Sai Lakshmi Gardens, Chanikyapuri Layout, Pothinamallayypalem,
Visakhapatnam, A.P.

Petitioner

AND

1. The State of Andhra Pradesh, Department of Mines and Geology, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi, Amaravati-522239.
2. The Director of Mines and Geology, AP, Off: Sri Anjaneya Towers, D.No.7-104, B-Block, 5th and 6th Floors, Ibrahimpatnam, NTR District, Andhra Pradesh-521456.
3. The District Mines and Geology Officer, Vizianagaram, Vizianagaram District-535001.

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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the Notice No.1604/RE and VO/2025-2 dated 27-12-2025 issued by the 3rd respondent, District Mines and Geology Officer, Vizianagaram District, as contrary to law, illegal, arbitrary, unconstitutional, violative of the principles of natural justice, contrary to the directions of this Hon'ble Court in WP No. 24537 of 2025 and to set aside the same.

IA 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 suspend the impugned Notice No.1604/RE&VO/2025-2 dated 27-12-2025 issued by the 3rd respondent, Pending disposal of WP No.8982 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 Sri Posani Akash, Advocate for the Petitioner, and of GP for Mines & Geology for the Respondents, the Court made the following.

ORDER

1. Heard Sri Posani Venkateswarlu, learned Senior Counsel for the Petitioner as well as the learned Assistant Government Pleader for Mines and Geology.

2. The learned Senior Counsel for the petitioner primarily contends that, despite the specific directions issued by this Court in W.P. No. 24537 of 2025 dated 12.09.2025, the respondents' authorities merely

furnished a copy of inspection report dated 15.12.2023 without undertaking any further exercise as directed.

3. In reply, the petitioner submitted a detailed explanation raising intricate issues and disputing the methodology adopted by the authorities in assessing the quantity of road metal excavated, particularly with regard to compliance with the prescribed parameters.

4. The learned Senior Counsel further submits that the impugned order dated 27.12.2025 passed by the 3rd respondent is bereft of reasons. He placed reliance on the recent judgment of the Hon'ble Division Bench of this Court in *Botta Lakshmi Pavani vs. State of Andhra Pradesh and Others* (2025 SCC OnLine AP 901), and contends that the impugned order is merely a reiteration of earlier allegations, without any independent or reasoned consideration by the authority.

5. Conversely, the learned Assistant Government Pleader submits that the impugned order has been passed strictly in compliance with the directions issued by this Court in W.P. No. 24537 of 2025. In nut-shell, she supports the impugned order as being within the legal parameters, contending that it is an order passed by a quasi-judicial authority upon due consideration.

6. Having regard to the facts and circumstances of the case, and in particular the primary contention regarding violation of the principles of natural justice, which must be adhered to in both letter and spirit as enunciated by the Hon'ble Supreme Court in *Krishnadatt Awasthi vs. State of Madhya Pradesh* [(2025) 7 SCC 545], and also considering the dictum in *Botta Lakshmi Pavani Vs. State of A.P.* of Division Bench, this Court is *prima-facie* inclined to grant an interim suspension of Notice

No.1604/RE&VO/2025-2 dt:27.12.2025 of the 3rd respondent, for a period of eight (08) weeks.

7. Post after six (06) weeks.

SD/-K.V.RAGHAVULU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Department of Mines and Geology, Secretariat Buildings, Velagapudi, Amaravati-522239.
2. The Director of Mines and Geology, AP, Off Sri Anjaneya Towers, D.No. 7-104, B-Block, 5th and 6th Floors, Ibrahimpatnam, NTR District, Andhra Pradesh-521456.
3. The District Mines and Geology Officer, Vizianagaram, Vizianagaram District-535001. (1 to 3 by RPAD)
4. One CC to Sri Posani Akash, Advocate [OPUC]
5. Two CCs to GP for Mines & Geology, High Court of Andhra Pradesh [OUT]
6. One spare copy

HIGH COURT

MRK, J

DATED: 24/04/2026

POST AFTER SIX (06) WEEKS

ORDER

WP.NO.8982 OF 2026

INTERIM SUSPENSION

