

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT ANDHRA PRADESH
(Special Original Jurisdiction)**



**THURSDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

: PRESENT:

**THE HONOURABLE SRI JUSTICE K SURESH REDDY
WRIT PETITION NO: 9866 OF 2023**

Between:

M/s. Sri Balaji Granites, A Proprietary Concern, Rep. by its Proprietor, Chunduri Ravi Babu, S/o. Venkateswarlu, aged about 52 years, R/o.H.No.3-125C, Satyanarayanapuram, Ongole, Prakasam District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Industries Commerce (Mines-II) Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Mines Geology, Anjaneya Towers, Ibrahimpatnam, Krishna District.
3. The Assistant Director of Mines Geology, Prakasam District at Ongole.
4. M/s. Venkateswara Granities, Rep. by its Proprietor, Pamidi Venkata Rao, S/o Ramachandraiah, R.L. Puram (V), Chimakurthy (M), Prakasam District.
5. V.G. Venkata Reddy, Director, O/o. Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
6. Mr. N. Obul Reddy, Assistant Director of Mines Geology, Prakasam District at Ongole.

Respondents

WHEREAS the Petitioner above named through it's Advocate Sri Koti Reddy Idamakanti 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 a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the proceedings in notice No.2012/D9/2022, dated 24/02/2023 passed by the 3rd respondent by granting the quarry lease in favour of the 4th respondent over the land to an extent of Ac.2.786 hectares in Survey No.65/1A of R.L. Puram Village, Chimakurthy Mandal, Prakasam District, contrary to the judgment dated 22/03/2022 in WP No.8565 of 2020 Batch, is illegal, irregular, arbitrary, unconstitutional and consequently set aside the same and grant the quarry lease in favour of the petitioner as he is the first applicant.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Koti Reddy Idamakanti, Advocate for the Petitioner, and of GP for Mines & Geology for the Respondents Nos 1 to 3,

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 Commerce (Mines-II) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Mines Geology, Anjaneya Towers, Ibrahimpatnam, Krishna District.
3. The Assistant Director of Mines Geology, Prakasam District at Ongole.
4. Pamidi Venkata Rao, S/o Ramachandraiah, Proprietor- M/s. Venkateswara Granities, R.L. Puram (V), Chimakurthy (M), Prakasam District.
5. V.G. Venkata Reddy, Director, O/o. Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
6. Mr. N. Obul Reddy, Assistant Director of Mines Geology, Prakasam District at Ongole.

are directed to show cause as to why in the circumstances set out in the petition/appeal and the affidavit/memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 suspend the notice No.2012/D9/2022, dated 24/02/2023 passed by the 3rd respondent by granting the quarry lease in favour of the 4th respondent over the land to an extent of Ac.2.786 hectares in Survey No.65/1A of R.L. Puram Village, Chimakurthy Mandal, Prakasam District pending disposal of the writ petition No. 9866 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. The learned counsel for the petitioner is permitted to take out personal notice to the respondent Nos.4 to 6 by registered post with acknowledgment due and to file proof of service into the Registry.

It is represented by the learned counsel for the petitioner that there are similar writ petitions i.e., W.P.No.8552 of 2023 and batch and requested to post this writ petition along with W.P.No.8552 of 2023 and batch. At request, post this writ petition along with W.P.No.8552 of 2023 and batch after Summer vacation-2023.

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 suspension, as prayed for, till then."

//TRUE COPY//

SD/- CHITTI JOSEPH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Industries Commerce (Mines-II) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Mines Geology, Anjaneya Towers, Ibrahimpatnam, Krishna District.
3. The Assistant Director of Mines Geology, Prakasam District at Ongole.
4. Pamidi Venkata Rao, S/o Ramachandraiah, Proprietor- M/s. Venkateswara Granities, R.L. Puram (V), Chimakurthy (M), Prakasam District.
5. V.G. Venkata Reddy, Director, O/o. Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.
6. Mr. N. Obul Reddy, Assistant Director of Mines Geology, Prakasam District at Ongole.
7. One CC to Sri Koti Reddy Idamakanti, Advocate [OPUC]
8. Two CCs to GP for Mines And Geology, High Court Of Andhra Pradesh, [OUT]
9. One spare copy

HIGH COURT

KSRJ

DATED: 20/04/2023

**POST THIS WRIT PETITION ALONG WITH W.P.No. 8552 OF 2023 AND BATCH
AFTER SUMMER VACATION- 2023**

NOTICE BEFORE ADMISSION

WP.No.9866 of 2023



INTERIM SUSPENSION