



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

[3504]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE MAHESWARA RAO
KUNCHEAM**

WRIT PETITION NO: 10633/2026

Between:

1.MOLLI KANAKA DURGA, F W/O. MUTYALU NAIDU,
AGED 54 YEARS, OCC. HOMEMAKER, D.NO.2-101,
VEDULLA NARAVA (VILLAGE POST), SABBAVARAM
MANDAL, ANAKAPALLI DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS
PRINCIPAL SECRETARY, MINES AND GEOLOGY
DEPARTMENT VELAGAPUDI, AMARAVATI, ANDHRA
PRADESH.-522237

2.THE DIRECTOR OF MINES AND GEOLOGY, AT
IBRAHIMPATNAM, VIJAYAWADA, ANDHRA PRADESH-
520001

3.THE DISTRICT MINES AND GEOLOGY OFFICER, AT
VISAKHAPATNAM VISAKHAPATNAM DISTRICT.531001

...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 an order, writ or direction

more particularly in the nature of Writ of Mandamus declaring the and 3RD respondents in not disposing the quarry lease application of the petitioner dated 03-06-2013 for grant of lease to quarry Gravel to an extent of acres 32.53 cents in Sy. No. 141 of Duvvada Village, Gajuwaka Mandal, Visakhapatnam District, under A.P. Minor Mineral Concession Rules, 1966 even after all formalities are completed as mandated and action of the 2 under rules to grant quarry lease as being arbitrary, illegal, and unconstitutional and contrary to Mines and Minerals (Development Regulation) Act, 1957 and the rules made there under apart from being of violation of Article 19 and 300-A of Constitution of India

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 direct the 2ND and 3 respondents to consider the application of the petitioner dated 03-06-2013 for grant of quarrying lease to quarry Gravel to an extent of acres 32.53 cents in Sy. No.141 of Duvvada Village, Gajuwaka Mandal, Visakhapatnam District forthwith, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1.K NAVEEN KUMAR

Counsel for the Respondent(S):

1.

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 10633 of 2026

The Court made the following Order:

The Writ Petition under Article 226 of the Constitution of India is filed for the following relief:

“.... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the and 3RD respondents in not disposing the quarry lease application of the petitioner dated 03-06-2013 for grant of lease to quarry Gravel to an extent of acres 32.53 cents in Sy.No.141 of Duvvada Village, Gajuwaka Mandal, Visakhapatnam District, under A.P. Minor Mineral Concession Rules, 1966 even after all formalities are completed as mandated and action of the 2 under rules to grant quarry lease as being arbitrary, illegal, and unconstitutional and contrary to Mines and Minerals (Development Regulation) Act, 1957 and the rules made there under apart from being of violation of Article 19 and 300-A of Constitution of India and pass such other order ...”.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Mines and Geology appearing for the respondents.

3. According to the learned counsel for the petitioner, the petitioner filed an application dated 03.06.2013 seeking grant of a quarry leave for colour Granite over the subject land, by way of Form-P under A.P.Minor Mineral Concession Rules, 1966 before the respondent authorities.

4. Learned counsel for the petitioner also submits that in view of G.O.Ms.No.100 Industries & Commerce (Mines-II) Department dated 26.06.2025 issued by the Government of A.P., the petitioner has fulfilled all prerequisites in the representation dated 13.03.2026, which is still pending consideration before the concerned authorities till today. It is submitted that, having been left with no other efficacious remedy, the petitioner has approached this Court seeking appropriate directions. Learned counsel also places reliance on the orders dated 15.12.2025 in W.P.No.34454 of 2025 and orders dated 17.02.2026 in W.P.No.5454 of 2026 passed by this Court.

5. Per contra, the learned Assistant Government Pleader for Mines & Geology submits that the petitioner applied for quarry lease, as per the procedure in vogue. She submits that permission has to be accorded from various departments, however, in the present case, the same have not been obtained by the petitioner. It is further submitted that the application filed by the petitioner is still pending.

6. At this juncture, it is apt to note that the Government of Andhra Pradesh has now issued new Minor Mineral Policy, 2025 *vide* G.O.Ms.No.100, Industries & Commerce (MINES-II)

Department, dated 26.06.2025. As per the said G.O. all pending applications as of 13.03.2022 shall be considered for the grant of a lease, subject to the conditions specified. The relevant clause of the Policy provides as follows:

“12 (2-A) Disposal of Pending Applications

i. Notwithstanding anything stated in these rules, all applications filed for grant of Quarry Lease for minor minerals listed in Schedule IV and are pending as on 13 03 2022 shall become eligible, irrespective of any ineligible orders issued after the introduction of Andhra Pradesh Minor Mineral Auction Rules 2022 subject to the area applied was free and not covered in the orders issued for auction/ nomination/ allotment.

ii. In the event of any conflict between applications filed for grant of Quarry Lease by applicants before 13.03.2022 which are now deemed eligible, and applications filed by APMDC or for other national/ state projects, under the provisions of Rule 11(1)(i) of these rules and pending for grant, the competent authority shall give priority to and consider for grant of quarry lease the applications submitted under Rule 11(1)(i) of these rules. iii. The deemed eligible applications under sub rule (i) shall be considered by Director or Deputy Director concerned, as the case may be, for grant of Quarry Lease subject to the applicant having first priority as on 13.03.2022, based on date of filing and other eligibility criteria and payment of one

time of Annual Dead Rent as a security amount within a period of three months to the Head of Account prescribed by the Government from the date of issue of these rules. Provided that the applications which are rejected or withdrawn before 13.03.2022 and the applications, for which the application fee and security deposit not paid as per the prevailing rules on 13.03.2022 shall not be considered for grant. Provided further that all other applications not having the priority as per this rule shall be deemed ineligible.”

7. In view of the aforesaid circumstances, the Writ Petition is disposed of, with a direction to the 2nd respondent to consider the application dated 03.06.2013 of the petitioner as per G.O.Ms.No.100 dated 26.06.2025 (supra), within a period of three (03) months, from the date of receipt of copy of this Order.

8. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Interlocutory applications, if any, pending shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 24.04.2026
PSA