

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
FRIDAY, THE TWELFTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY
WRIT PETITION NO: 12633 OF 2023

Between:

Mudunuru Rama Raju, S/o. Venkata Krishnam Raju, aged 46 years, R/o. D. No. 48-1-39, Srinagar Colony, Visakhapatnam District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary (Industries and Commerce Department), Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh
2. The Director of Mines & Geology, Ibrahimpatnam, Vijayawada, Krishna District, Andhra Pradesh.
3. The Deputy Director of Mines and Geology, Government of Andhra Pradesh, Visakhapatnam District, Andhra Pradesh.
4. The Assistant Director of Mines & Geology, Visakhapatnam, Visakhapatnam District, Andhra Pradesh

...Respondents

WHEREAS the Petitioner above named through his/her Advocate V SAI KUMAR 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 or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in issuing proceedings in Lr. No.1580/Q/2017 dated 04.04.2023 by the 4th respondent in consonance with the demand Letter No.231/Q2V/2018 dated 18.03.2023 to pay the annual dead rent equalent to 3 times for execution of quarry lease deed in the applied area of the petitioner for Quarry Lease for Gravel and Rough Stone in Survey No. 212 at Turluwada Village, Anandapuram Mandal of Visakhapatnam District to an Extent of 23.76 Hectors under the guise of Subsequent G.O.Ms. No. 8 Industries and Commerce (M-III) Department dated 16.02.2022 before executing quarry lease deed as highly illegal, arbitrary, unconstitutional also oppose to Articles 14,19 (1) (g), of the Constitution of India and also oppose to the verdict of the Apex Court passed in Appeal (Civil)800 of 2005 Dated.12.12.2006 consequentially suspend the operation of the proceedings in Lr. No. 1580/Q/2017 dated 04.04.2023 by the 4th respondent in consonance with demand in Letter No. 231/Q2V/2018 dated 18.03.2023,

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V SAI KUMAR Advocate for the Petitioner, GP FOR MINES & GEOLOGY, for the Respondent Nos. 1 to 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 Department), State of Andhra Pradesh, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh
2. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada, Krishna District, Andhra Pradesh.
3. The Deputy Director of Mines and Geology, Government of Andhra Pradesh, Visakhapatnam District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, Visakhapatnam, Visakhapatnam District, Andhra Pradesh

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, on or before 15.06.2023.

The Court made the following: ORDER

Notice before admission.

Learned Government Pleader for Mines and Geology takes notice for the respondents.

Post on 15.06.2023 for filing counter affidavit.

Sd/- M. PADMALATHA
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Principal Secretary (Industries and Commerce Department), State of Andhra Pradesh, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh
2. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada, Krishna District, Andhra Pradesh.
3. The Deputy Director of Mines and Geology, Government of Andhra Pradesh, Visakhapatnam District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, Visakhapatnam, Visakhapatnam District, Andhra Pradesh (**Addressees 1 to 4 by RPAD- along with a copy of petition and Affidavit**)
5. One CC to SRI. V SAI KUMAR Advocate [OPUC]
6. Two CCs to GP FOR MINES AND GEOLOGY, High Court of Andhra Pradesh. [OUT]
7. One spare copy

PSR

HIGH COURT

KSR,J

DATED:12/05/2023

NOTE: POST ON 15.06.2023 FOR FILING COUNTER AFFIDAVIT

NOTICE BEFORE ADMISSION

WP.No.12633 of 2023

