

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

[3206]

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO



WRIT PETITION NO: 17176 OF 2022

Between:

K Siva Prakash, Slo Krishnan, aged about 50 years, R/o D.No.568/13B, Tiruvalluvar Nagar, Near Jhakkappan Nagar, 8th Cross, Krishnagiri, Tamilnadu- 635001

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Mines and Geology Department, Secretariat, Velagapudi, Amaravathi Guntur District.
2. The Director of Mines and Geology, 5th Floor, Block-B, Sri Anjaneya Towers, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Assistant Director Mines and Geology, Palamaner, Chittoor District.
4. The Tahsildar, Gudupalle, Gudupalle Mandal, Chittoor District.

Respondents

Petition under Article 226 of the Constitution of India is filed 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 action of the 2nd respondent in demanding the petitioner to remit the premium amount of Rs.6,95,500/- (Six Lakhs Ninty Five thousand and Five hundred only) vide Proceedings Letter No.5413/D13-2/2021, dt.28.08.2021, which is equivalent to 10 times of annual dead rent as per the G.O.Ms.No.65 Industries and Commerce (Mines-III) Department, dt.4.8.2021 even before grant of mining lease over an extent of admeasuring 0.535 hectares against applied 1.000 hectares in Sy.No.104 of Kotamkanapalli Revenue Village of Gudupalli Mandal, Chittoor District, is highly illegal, arbitrary, violation of Articles 14, 19 (1) (g) and 21 of the Constitution of India and consequently direct the 2nd respondent to issue Letter of Intent (LOI) to the petitioner for an extent of admeasuring 0.535 hectares against applied 1.000 hectares in Sy.No.104 of Kotamkanapalli Revenue Village of Gudupalli Mandal, Chittoor District.

IA NO: 1 OF 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 2nd respondent to issue Letter of Intent (LOI) to the petitioner for an extent of admeasuring 0.535 hectares against applied 1.000 hectares in Sy.No.104 of Kotamkanapalli Revenue Village of Gudupalli Mandal, Chittoor District, duly suspending the Letter No. 5413/D13-2/2021, dt.28.08.2021 of the 2nd respondent, pending disposal of the Writ Petition No.17176 of 2022, 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.J.M.NAIDU Advocate for the Petitioner and of learned GP for Mines & Geology for Respondents, the Court made the following.

ORDER:

In similar matters, this Court by an order dated 24.06.2022 in W.P.No.14827 of 2022 and batch had directed the matters to be placed before Division Bench for obtaining orders of the Hon'ble The Chief Justice.

Registry is directed to place the bundle before the Hon'ble The Chief Justice for appropriate directions.

In the meanwhile, no coercive steps shall be taken against the petitioner.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Mines and Geology Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Mines and Geology, 5th Floor, Block-B, Sri Anjaneya Towers, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Assistant Director Mines and Geology, Palamaner, Chittoor District.
4. The Tahsildar, Gudupalle, Gudupalle Mandal, Chittoor District. (1 to 4 by RPAD)
5. One CC to SRI.J.M.NAIDU Advocate [OPUC]
6. Two CCs to GP for Mines & Geology, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

SRL

HIGH COURT

RRRJ

DATED:27/06/2022

ORDER

WP.No.17176 of 2022

DIRECTION

