

APHC010259222015



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

[3504]

TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

**PRESENT
THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**

WRIT PETITION NO: 15699/2015

Between:

1.M/S.SHIV SHANTHI CEMENT (P)LTD,, REP BY THE MANAGING
DIRECTOR MR. SHANKARIAL SHARMA, S/O.LATE.SHIVLAI
SHARMA,AGED 55 YEARS,R/OTATIGUDA VILLAGE, GARIVIDI
MANDAL,VIZIANAGARAM DISTRICT

...PETITIONER

AND

- 1.UNION OF INDIA REP BY ITS SECRETARY MINISTRY OF MINES,
SHASTRI BHAVAN.NEW DELHI-110115,
- 2.THE STATE OF ANDHRA PRADESH REP BY THE, PRINCIPAL
SECRETARY,(MINES),SECRETARIAT BUILDING, HYDERABAD-
500022
- 3.DIRECTOR OF MINESGEOLOGY 8TH FLOOR BRKRBHAVAN,
TANAKBUND ROAD,HYDERABAD-500029,
- 4.THE ASSISTANT DIRECTOR OF MINES ANGEOLGY, D.NO.8-24-
24B, SAINAGAR, OPP VASUDEVANAI DU KHALLAM,TOTAPALEM,
VIZIANAGARAM-535003

...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 toto issue a writ or order/s or Direction/s more particularly one in the

nature of writ of directing the respondents to grant prospective license dated: 03-01-12 pending before the third respondent as the petitioners right cannot be taken away on over night with pen stroke by amending the statutory provisions in the Act M.M.(D&R)Act 1957 of Section 10 (A),dt.27-03-2015,the same is violation of Art 14 of the Constitution of India, by depriving the right of the petitioner, getting huge irreparable loss, further consequently direct the respondents to complete the processing of the application for the prospective license made by the petitioner in , Vizianagaram District for mangonice ore sinter, and oxide in accordance with the principle mines and Minerals(Development &Regulations Act 1957 as available prior to 12-01-2015 being date of the Act coming into effect as the same is illegal contrary to law, arbitrary, without jurisdiction, violation of principles of natural justice and pass such other order or orders as this honorable court may deem fit and proper in the interests of justice.

IA NO: 1 OF 2015(WPMP 20437 OF 2015

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 respondents herein to consider the petitioner application dated:03-01-2012 pending before the third respondent pending disposal of the writ petition and pass such other order or orders as this honorable court may deem fit and proper in the interests of justice. .

IA NO: 4 OF 2015(WPMP 88282 OF 2015

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

Counsel for the Petitioner:

1.K PURUSHOTHAM

Counsel for the Respondent(S):

1.M UMA DEVI (CENTRAL GOVT COUNSEL)

2.HARINATH N (DEPUTY SOLICITOR GENERAL OF INDIA)

The Court made the following:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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ORDER:-

The instant writ petition has been filed by the petitioner under Article 226 of Constitution of India seeking the following main prayer:

“to issue a writ or order/s or Direction/s more particularly one in the nature of writ of directing the respondents to grant prospective license dated 030112 pending before the third respondent as the petitioners right cannot be taken away on over night with pen stroke by amending the statutory provisions in the Act M.M.(D&R) Act, 1957 of Section 10 (A), dt. 27.03.2015 the same is violation of Artical 14 of the Constitution of India by depriving the right of the petitioner getting huge irreparable loss further consequently direct the respondents to complete the processing of the application for the prospective license made by the petitioner in Vizianagaram District for mangonice ore sinter and oxide in accordance with the principle mines and Minerals Development Regulations Act 1957 as available prior to 12012015 being date of the Act coming into effect as the same is illegal contrary to law arbitrary without jurisdiction violation of principles of natural justice and pass such other order or orders as this honorable court may deem fit and proper in the interests of justice”

2. On 16.02.2026, this Court passed the following order:

“On 10.02.2026, as there was no representation for the petitioner, the matter was directed to be listed to today ‘for dismissal’.

2. Unfortunately, though the matter was listed under the caption ‘for dismissal’, today also none appeared for the petitioner.

3. So as to give one more opportunity to the petitioner, post tomorrow under the same caption.

4. Ms.M.Umadevi, learned counsel for 1st respondent is in attendance.”

3. Today, when the matter is taken-up for hearing, no representation for the petitioner even though the matter is listed under the caption ‘for dismissal’. Ms.M.Umadevi, learned counsel for 1st respondent is present.

4. Apparently, the writ petition is of the year 2015. Despite being given sufficient opportunities, the petitioner has not evinced any interest in pursuing the case. Hence, the writ petition is dismissed for non-prosecution.

5. Accordingly, the Writ Petition is dismissed for non-prosecution. There shall be no order as to costs.

As a sequel, all pending applications shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 17.02.2026
SDP

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THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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17.02.2026

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