

## IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE,

TWO THOUSAND AND TWENTY TWO

: PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 16040 OF 2022

**Between:**

Dinesh Granites Exports, Having its registered office at 3-A, Siva Sai Sanidhi, Plot No.32, Opp Sri Sai Baba Temple, Hingi Nagar, Panjagutta, Hyderabad. Rep. by its Authorized Signatory, Sri.J.Ramesh Reddy, S/o. J. Raja Reddy, Aged about 58 years, Occ Business, R/o. Hyderabad.

**Petitioner****AND**

1. State of Andhra Pradesh, Mines and Industries Department, Secretariat, Velagapudi, Amaravathi, Guntur District. Rep. by its Principal Secretary.
2. The Director of Mines and Geology, Government of Andhra Pradesh, Vijayawada, Krishna District.
3. The Assistant Director of Mines and Geology, Government of Andhra Pradesh, Tekkali, Srikakulam District.

**Respondents**

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 of mandamus or any other appropriate writ or direction declaring the action of the 2<sup>nd</sup> and 3<sup>rd</sup> respondents in blocking the lease ID 0121030116 in E-Permit System of www.minesap.gov.in Portal for the quarry lease for colour granite of the petitioner over an extent of 5 hectors in Sy.No.01 of Addukonda Village, Tekkali Mandal, Srikakulam District even though the lease area is 5 hectors and EC is not applicable as illegal, arbitrary and consequently direct the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to unblock the lease ID of the petitioner.

**IA NO: 1 OF 2022**

Petition under Section 151 CPC 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 2<sup>nd</sup> respondent to unblock the lease ID 0121030116 in E-Permit System of www.minesap.gov.in Portal for the quarry lease for colour granite of the petitioner over an extent of 5 hectors in Sy.No.01 of Addukonda Village, Tekkali Mandal, Srikakulam District, pending disposal of WP No.16040 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 M/s. Omr Law Firm, Advocate for the Petitioner, GP for Mines and Geology for the Respondent No.1 to 3, the Court made the following.

**ORDER**

**"The petitioner was granted a mining lease over 5 hectors of land in Sy.No.1 of Addukonda Village, Tekkali Mandal, Srikakulam District for a period of 20 years.**

The petitioner had been operating the said lease without any complaint. However, the petitioner's I.D bearing No.0121030116 in the e-permit system maintained by the Mines and Geology Department has been blocked by the respondents due to which the petitioner is unable to obtain permits for transporting the material from the said lease.

It appears that the I.D. of the petitioner was blocked primarily due to some confusion as to whether the lease for 5 hectares requires environment clearance or not. It also appears from the record that there is no clarity on this issue in the Minds of the respondents also, as the Assistant Director of Mines and Geology, by letters dated 28.01.2022 and 10.02.2022 sought clarification from the Director of Mines. Similarly, the Pollution Control Board, which is the authority to issue such environment clearance, had also expressed a similar confusion in its proceeding dated 11.03.2022.

In the circumstances, it would be wholly inappropriate to block the I.D of the petitioner on the ground that the petitioner is required to obtain environment clearance at this stage itself.

In the circumstances, there shall be an interim direction to the 2<sup>nd</sup> respondent to unblock the I.D of the petitioner in the e-permit system and to issue transport permits, subject to the petitioner complying with all the required formalities.

Post on 29.07.2022 for counter."

SD/- K.SRINIVAS RAJU  
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Mines and Industries Department, Secretariat, Velagapudi, State of Andhra Pradesh, Amaravathi, Guntur District.
2. The Director of Mines and Geology, Government of Andhra Pradesh, Vijayawada, Krishna District.
3. The Assistant Director of Mines and Geology, Government of Andhra Pradesh, Tekkali, Srikakulam District. (1 to 3 by RPAD)
4. One CC to M/s. OMR Law Firm, Advocate [OPUC]
5. Two CCs to GP for Mines and Geology, High Court of Andhra Pradesh. [OUT]
6. One spare copy

SP



HIGH COURT

RRRJ

DATED: 22/06/2022

POST ON 29.07.2022 FOR COUNTER.

ORDER

WP.No.16040 of 2022

INTERIM DIRECTION

