

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

WEDNESDAY, THE TWENTY FIRST DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY TWO

: PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO



IA NO.2 OF 2022

IN

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 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 2nd and 3rd respondents to issue transport permits to the petitioner in respect of the colour granite excavated by the petitioner in Sy.No.01 of Addukonda Village, Tekkali Mandal, Srikakulam District forthwith without insisting for Environmental Clearance and CFO, 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 the earlier Order of the High Court dated 22.06.2022 made herein 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, who has a mining lease in Addukonda Village had approached this Court with a grievance that the respondents had blocked the access of the petitioner to the e-permit system on the ground that the environment clearance is required before any mining activity can be carried on by the petitioner. This Court by an order dated 22.06.2022, after noting the confusion expressed by both the Assistant Director for Mines and Geology and the Pollution Control Board, had directed that there would be an interim

direction to the 2nd respondent to unblock the I.D of the petitioner in the e-permit system and to issue transport permits.

The petitioner has now approached this Court again by way of this application complaining that the 2nd respondent, while permitting the petitioner to have access to e-permit system, has refused to issue the transit permits on the ground that petitioner requires environment clearance for carrying on the quarrying activities in the lease of the petitioner.

It is not clear as to how the 2nd respondent can violate the sitting judgement over the directions of this Court to issue transit permits without going into the question of environment clearance.

The 2nd respondent is directed to comply with the directions of this Court dated 22.06.2022 and to issue e-permits to the petitioner, subject to compliance of other requirements, and without referring to the question of whether the petitioner has environment clearance are not.

Post on 28.09.2022 for reporting the compliance."

SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

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

MSB

HIGH COURT

RRR,J

DATED: 21.09.2022

ORDER

POST ON 28.09.2022 FOR REPORTING THE COMPLIANCE

**IA NO.2 OF 2022
IN
WP.No.16040 of 2022**

INTERIM DIRECTION

