

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE ELEVENTH DAY OF JUNE,
TWO THOUSAND AND TWENTY SIX**



:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15289 OF 2026

Between:

M/s Jaiprakash Power Ventures Limited, Having its registered office at
Complex of Jaypee Nigrie Super Thermal Power Plant, Tehsil Sara, Nigrie,
Singrauli, Madhya Pradesh - 486669 Rep by its President (F and A) and Chief
Financial Officer Mr. Ram Kumar Porwal

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Mines and Geology Department A.P. Secretariat, Velagapudi Amaravati, Guntur District
2. The Commissioner & Director of Mines and Geology Ibrahimpatnam, Vijayawada, NTR District Andhra Pradesh- 521456
3. The Divisional Mines and Geology Officer, D. No. 16/612, 2nd floor, Gandhi Road, Sree Rama Complex, Madanapalle, Annamayya District- 517325 Andhra Pradesh
4. The Collector and District Magistrate District Collector Office, Rayachoti, Annamayya District, Andhra Pradesh

...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 may issue a writ, order, or direction, particularly in the nature of a writ of Mandamus, declaring Demand Notice No.728 S and-APSAC 2025-2 dated 27 May 2026 issued by Respondent No.3, the Divisional Mines and Geology Officer, Annamayya District, as lacking power or authority and in

violation of the Mines and Minerals (Development & Regulation) Act, 1957, the A.P. Minor Mineral Concession Rules, 1966, and the terms and conditions of the Lease Agreement dated 3 May 2021, in breach of the principles of natural justice, and consequently set aside the impugned Demand Notice;

IA NO: 1 OF 2026:

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 grant a stay on all further proceedings related to Demand Notice No. 728/Sand- APSAC/2025-2 dated 27 May 2026, issued by Respondent No.3, the Divisional Mines and Geology Officer, Annamayya District pending disposal of the above writ petition. It is also prayed that this Hon'ble Court may pass such orders as it may consider appropriate, as the Petitioner has a strong prima facie case, balance of convenience lies in favour of the Petitioner and against the Respondents, and the Petitioner will suffer irreparable injury if the Impugned Demand Notice is not stayed, pending disposal of WP.No.15289 of 2026, 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 C.V.Mohan Reddy, learned Senior Counsel assisted by Sri C.Sumon, Advocate for the Petitioner and GP for Mines and Geology for Respondent Nos.1 to 3 and Sri M.Chandra Shekar, learned Assistant GP for Revenue for Respondent No.4, the Court made the following;

ORDER:

Heard Sri C.V.Mohan Reddy, learned Senior counsel assisted by Sri C.Sumon, learned counsel for the petitioner, learned Assistant Government Pleader for Mines and Geology for the respondents 1 to 3 and Sri M.Chandra Shekar, learned Assistant Government Pleader for Revenue for the 4th respondent.

Assailing the demand notice vide Notice No.728/Sand- APSAC/2025-2 dated 27.05.2026 (Ex.P2), issued by the 3rd respondent, the above writ petition was filed.

Learned Senior counsel would submit that the 3rd respondent lacks jurisdiction to issue Ex.P2. He would further submit that, along with the show cause notice vide No.728/Sand-APSAC/2025-2 dated 02.08.2025 (Ex.P4), all the relevant documents were not furnished to the petitioner. The explanation/reply dated 05.06.2026 (Ex.P3) submitted by the petitioner was not properly considered. Learned Senior counsel would also submit that no opportunity of hearing was provided to the petitioner.

Learned Government pleader, on the other hand, supported the order passed by the 3rd respondent.

Thus, as seen from the material available on record, the 3rd respondent issued a show cause notice dated 02.08.2025 (Ex.P4) to the petitioner. The petitioner submitted an explanation/reply dated 05.06.2026 (Ex.P3). In the explanation/reply, the petitioner specifically questioned the jurisdiction of the 3rd respondent. The petitioner also pleaded non-furnishing of the relevant documents.

As seen from the proceedings impugned, an opportunity of hearing was not provided to the petitioner. The Hon'ble Apex Court, in *Mangilal v. State of Madhya Pradesh*¹, observed that the opportunity of being heard is a fundamental Principle of Natural Justice and cannot be denied, even in cases where a statute or set of rules does not explicitly provide for it.

The APSAC Report and the Joint Inspection Report, which constitute the basis for issuance of the notice, have not been furnished to the petitioner, enabling the petitioner to submit a proper explanation.

Whether the 3rd respondent had the jurisdiction requires consideration?

The petitioner has, therefore, made out a prima facie case for the grant of an interim order.

¹ (2004) 1 SCC 447

It is also brought to the notice of this Court that writ petitions wherein identical issues were raised are pending consideration before the Division Bench and that a batch of writ petitions involving similar questions is also pending.

Given the facts and circumstances of the case, there shall be a stay of all further proceedings pursuant to the demand notice vide Notice No.728/Sand-APSAC/2025-2 dated 27.05.2026 (Ex.P2).

List the matter along with W.P.No.23769 of 2024 and batch.

//TRUE COPY//

SD/- P.SIVA SITA RAMA KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary Mines and Geology Department A.P.
Secretariat, State of Andhra Pradesh, Velagapudi Amaravati, Guntur District (by **Special Messenger**)
2. The Commissioner & Director of Mines and Geology Ibrahimpatnam,
Vijayawada, NTR District Andhra Pradesh- 521456
3. The Divisional Mines and Geology Officer, D. No. 16/612, 2nd floor,
Gandhi Road, Sree Rama Complex, Madanapalle, Annamayya District-
517325 Andhra Pradesh
4. The Collector and District Magistrate District Collector Office, Rayachoti,
Annamayya District, Andhra Pradesh (Addressee Nos.2 to 4 by **RPAD**)
5. One CC to Sri. C.Sumon Advocate [OPUC]
6. Two CCs to GP for Mines and Geology, High Court of Andhra Pradesh.
[OUT]
7. Two CCs to GP for Revenue, High Court of AP [OUT]
8. The Section Officer, Posting Section, High Court of AP
9. One spare copy

HIGH COURT

SRS,J

DATED:11/06/2026

LIST THE MATTER ALONG WITH WP.NO.23769 OF 2024 AND BATCH

ORDER

WP.No.15289 of 2026

STAY

