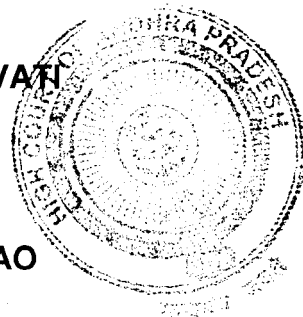


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE TWENTY FIFTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY ONE
:PRESENT:
THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO**



WRIT PETITION NO: 21074 OF 2021

Between:

M/s. Federation of Minor Minerals Industry, (FEMMI), Rep. by its Secretary General Dr. Chatti Hanumanth Rao, S/o. Srinivasa Chatti, Age 59 years, Occu Business, Regd. Off 24-88/7, Srinivasa Nagar, Simhachalam, Vishakhapatnam, Andhra Pradesh.

...Petitioner

AND

1. The Government of Andhra Pradesh, Industries and Commerce (Mines. III) Department, Represented by the Principal Secretary, Room No.102, Ground Floor, Block No.2, A.P. Secretariat, Velagapudi, Guntur District, A.P
2. The Director of Mines and Geology, Department of Mines and Geology, Anjaneya Towers, D.No.7-104, B-Block, 5th and 6th Floors, Ibrahimpatnam, Vijayawada-521456, A.P
3. The Ministry of Mines Government of India, Rep. by its Secretary Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi -110001

...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 writ, order or direction more particularly one in the nature of Writ of MANDAMUS under article 226 of Constitution of India, declaring the impugned G.O.Ms.21 dated 25.03.2021 and G.O.Ms.No.42 dated 07.06.2021 issued by the Government of Andhra Pradesh, levying Consideration Amount on Minor Minerals in addition to the Seigniorage fee, DMF and MERIT as Arbitrary, Illegal, without competence, Ultra Vires and violative of fundamental rights enshrined under the Constitution of India, besides contrary to Section 15 (3) of the Mines and Mineral (Development and Regulation) Act, 1957 and un-constitutional and consequently strike down/set aside the impugned G.O.Ms.21 dated 25-03-2021 and G.O.Ms.No.42 dated 07-06-2021 declaring it as arbitrary and without competence and ultra vires in the interest of justice and equity.

IA NO: 1 OF 2021

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 grant stay of operation of the impugned G.O.Ms.21 dated 25-03-2021 and G.O.Ms.No.42 dated 07.06.2021 pending disposal of WP 21074 of 2021, 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 order of the High Court dated 30.09.2021 made herein and upon hearing the arguments of Sri Venkat Reddy Donthi Reddy, Advocate for the Petitioner and GP for Mines & Geology for the Respondent Nos.1&2 and Sri N.Harinath, Assistant Solicitor General for the Respondent No.3, the Court made the following.

ORDER:

It is submitted on behalf of the learned Additional Advocate General that counter has been filed. Office shall place. It on record and post the matter for reply after two (2) weeks. Interim order granted earlier is extended till then.

//TRUE COPY//

**Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR**

For ASSISTANT REGISTRAR

To

1. One CC to Sri. Venkat Reddy Donthi Reddy, Advocate [OPUC]
2. One CC to Sri N.Harinath, Assistant Solicitor General [OPUC]
3. Two CCs to GP for Mines & Geology, High Court of AP [OUT]
4. One spare copy

TVR

HIGH COURT

UDPRJ

DATED: 25.10.2021

NOTE: POST AFTER TWO WEEKS

ORDER

WP.No.21074 of 2021

INTERIM DIRECTION EXTENDED

