

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO
:PRESENT:
THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 24914 OF 2022



Between:

R Arulmurugan, S/o. Ramalingam, aged 48 years, Occ: Business, R/o. 59, Kuditheru, Maravapalyam, Namakkal, Velure District, Tamilnadu.

Petitioner

AND

1. The Principal Secretary ,Mines and Geology Department, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.
2. The Director of Mines and Geology, State of Andhra Pradesh office at Ibrahimpatan, Krishna District, Andhra Pradesh.
3. The Deputy Director of Mines and Geology, Chittoor, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, Chittoor, Andhra Pradesh.
5. The Tahasildar, Kurabalakota Mandal, Chittoor District, Andhra Pradesh

Respondent

WHEREAS the Petitioner above named through his Advocate Sri V Sai Kumar presented this 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 or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not processing the application of the petitioner in the applied area (application Dated.02.08.2021) for Quarry Lease for Black Granite and Color Granite in Survey No.435 at Pitchalavandlapalle Village ,Kurabalakota Mandal of Chittoor District to an Extent of 06.000 Hectors under the guise of subsequent G.O.Ms.No.13 of industries and Commerce (Mines-III) Department dated 14.03.2022 and in G.O.Ms.No.14 of industries and Commerce (Mines-III) Department dated 14.03.2022 in consonance with G.O.Ms. No. 65 of industries and Commerce (Mines-III) Department dated 04.08.2021 for mandating the payment of Premium Amount(Ten Times Annual Dead Rent) before issuing the Letter of intent (LOI) for grant of leases in contrary to section 15(3) of the Mines and Minerals (Development and Regulations) Act, 1957 and further not issuing mining lease to the petitioner over the subject land as highly illegal, arbitrary, unconstitutional also oppose to Articles 14,19 (1) (g), of the Constitution of India and also oppose to the verdict of the Apex Court passed in Appeal (Civil) 800 of 2005 Dated. 12.12.2006 consequentially direct the respondents to consider the application of the petitioner without giving effect to the subsequent G.O.Ms.No.13 of industries and Commerce (Mines-III) Department dated 14.03.2022 and G.O.Ms.No.14 of Industries and Commerce (Mines-III) Department dated 14.03.2022 in consonance with G.O.Ms. No. 65 of industries and Commerce (Mines-III) Department dated 04.08.2021 for grant of mining lease for Color Granite in Survey No.435 at Pitchalavandlapalle Village,Kurabalakota Mandal of Chittoor District to an Extent of 06.000 Hectors by following the rules and procedure prevailed prior to the issuance of the above Government Orders Dated. 14.03.2022 without considering them to have been rendered ineligible on account of the amended Rule 12(2) of the A.P. Minor Mineral Concession Rules,1966

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V Sai Kumar Advocate for the Petitioner, GP for mines and geology for Respondent No.s 1 to 4 directed issue of notice to the Respondents herein to show cause as to why this Writ Petition should not be admitted.

You viz:

1. The Principal Secretary ,Mines and Geology Department, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.
2. The Director of Mines and Geology, State of Andhra Pradesh office at Ibrahimpatan, Krishna District, Andhra Pradesh.
3. The Deputy Director of Mines and Geology, Chittoor, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, Chittoor, Andhra Pradesh.
5. The Tahasildar, Kurabalakota Mandal, Chittoor District, Andhra Pradesh

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 13.09.2022, on which date the case stands posted for hearing.

The Court made the following: ORDER

"Noice before admission.

Post on 13.09.2022.

In the meanwhile, the respondents shall not take any coercive steps against the petitioner."

Sd/- K. Sreenivas Raju
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary ,Mines and Geology Department, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
2. The Director of Mines and Geology, State of Andhra Pradesh office at Ibrahimpatan, Krishna District, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
3. The Deputy Director of Mines and Geology, Chittoor, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
4. The Assistant Director of Mines and Geology, Chittoor, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)
5. The Tahasildar, Kurabalakota Mandal, Chittoor District, Andhra Pradesh (by RPAD- along with a copy of petition and memorandum of grounds)
6. One CC to Sri V Sai Kumar Advocate [OPUC]
7. Two CCs to GP FOR MINES AND GEOLOGY ,High Court Of Andhra Pradesh. [OUT]
8. One spare copy

GKV

HIGH COURT

RRR, J

DATED:16/08/2022

POST ON 13.09.2022

NOTICE BEFORE ADMISSION

WP.No.24914 of 2022

