

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE THIRTEENTH DAY OF SEPTEMBER
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 state of Andhra Pradesh, represented by its 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

...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 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.

I.A. No. 1 OF 2022:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the Memorandum of grounds filed in support of the petition, the High Court may be pleased to 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, Pending disposal of WP No. 24914 of 2022, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dt 10.08.2022 made herein and upon hearing the arguments of Sri V Sai Kumar Advocate for the Petitioner, and of GP for Mines and Geology for Respondent Nos. 1 to 4, and of GP for Revenue for Respondent No.5, and the Court made the following;

ORDER:

"No representation for the petitioner.

Post on 13.10.2022.

Interim direction granted earlier shall stand extended till 15.10.2022".

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

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. One CC to Sri V Sai Kumar Advocate [OPUC]
2. Two CCs to GP FOR MINES AND GEOLOGY, High Court Of Andhra Pradesh. [OUT]
3. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
4. One spare copy

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HIGH COURT

RRR, J

DATED: 13/09/2022

Post on 13.10.2022.

ORDER

WP.No.24914 of 2022

EXTENSION OF INTERIM ORDER

