

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

THURSDAY, THE FIFTEENTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 29945 OF 2022



Between:

Y.Amaralinga Reddy, S/o. Anji Reddy, aged 33 years, R/o. Brahmanapalli Village,
Piduguralla Mandal, Guntur District now Palnadu District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principle 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, Guntur District now Palnadu District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, Guntur District now Palnadu District, Dachepalli, Andhra Pradesh.
5. The Tahasildar, Dachepalli Mandal, Guntur District now Palnadu 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 prayed that this Hon'ble 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. 11.06.2019 for Quarry Lease for Mosaic Chips in Survey No.710 at Nadikudi Village, Dachepalli Mandal of Guntur District to an Extent of 03.310 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(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 Mosaic Chips in Survey No. 710 at Nadikudi Village, Dachepalli Mandal of Guntur District to an Extent of 03.310 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.

IA NO: 1 OF 2022

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 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 Mosaic Chips in Survey No. 710 at Nadikudi Village, Dachepalli Mandal of Guntur District to an Extent of 03.310 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.29945 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 upon hearing the arguments of Sri V.Sai Kumar, Advocate for the Petitioner and GP for Mines & Geology for the Respondent Nos.1 to 4 and GP for Revenue for the Respondent No.5, the Court made the following;

ORDER:

"In similar matters, this Court by an order dated 24.06.2022 in WP.No.14827 of 2022 and Batch had directed the matters to be placed before Division Bench for obtaining orders of the Hon'ble The Chief Justice.

Registry is directed to place the bundle before the Hon'ble The Chief Justice for appropriate directions.

In the meanwhile, no coercive steps shall be taken against the petitioner.

The learned Government Pleader submits that this matter is connected with W.P.No.14827 of 2022."

//TRUE COPY//

**Sd/- M. PADMALATHA
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

- 1. The Principle 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, Guntur District now Palnadu District, Andhra Pradesh.
4. The Assistant Director of Mines and Geology, Guntur District now Palnadu District, Dachepalli, Andhra Pradesh.
5. The Tahasildar, Dachepalli Mandal, Guntur District now Palnadu District, Andhra Pradesh. (Addressee Nos.1 to 5 by RPAD)
6. One CC to Sri. V.Sai Kumar, Advocate [OPUC]
7. Two CCs to GP for Mines & Geology, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP for Revenue, High Court of AP [OUT]
9. One spare copy

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HIGH COURT

RRRJ

DATED:15/09/2022

ORDER

WP.No.29945 of 2022

DIRECTION

