

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

**MONDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE K SURESH REDDY
WRIT PETITION NO: 4307 OF 2023 AND 40288 OF 2022**



WRIT PETITION NO: 4307 OF 2023:

Between:

K Venkata Ramana, S/o Late K.Raja Rao, Aged about 60 years, Occ. Business, Residing at 99, Parama Reddy Hills, Near Rajendra Nagar Ring Road, Hyderabad-500048.Telangana State.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director for Mines and Geology Department, Sri Anjaneya Towers, B-Block, 5th Floor, Ibrahimpatnam, Vijayawada-521456.

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 appropriate Writ, order, direction, more particularly one in the nature of Writ of Mandamus declaring inaction of the Respondent No.1 in considering the stay in revision filed on 31.01.2023 under rule 35-A of the Andhra Pradesh Minor Mineral Concession Rules, 1966 as arbitrary, illegal, unjust, failure to exercise power, violative of the Mines and Mineral (Development and Regulation) Act 1957, apart from being violative of the Fundamental Rights guaranteed under Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents not to hold auction till the revision is finally decided.

IA NO: 1 OF 2023

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 stay all further proceedings pursuant to order of the 2nd respondent dated 28-10-2022 in Proceedings. No. 2865/D9/2022 including the auction to the application area, pending disposal of WP No.4307 of 2023, 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 the order of the High Court dated 22.02.2023 made herein and upon hearing the arguments of Sri C V R RUDRA PRASAD Advocate for the Petitioner, and of GP FOR MINES AND GEOLOGY for Respondents

WRIT PETITION NO: 40288 OF 2022:

Between:

M/s. Sri Balaji Granites, A Proprietary Concern, Rep. by its Proprietor, Chunduri Ravi Babu, S/o. Venkateswarlu, aged about 50 years, R/o.H.No.3-125C, Satyanarayanapuram, Ongole, Prakasam District.

Petitioner

AND

1. The State Of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce (Mines-II) Department, A.P. Secretariat at Velagapudi, Amaravathi, Guntur District
2. The Director of Mines and Geology, Anjaneya Towers, Ibrahimpatnam, Krishna District
3. The Assistant Director of Mines and Geology, Prakasam District at Ongole.
4. M/s. Venkateswara Granities, Rep. by its Proprietor, Pamidi Venkata Rao, S/o Ramachandraiah, R.L. Puram (V), Chimakurthy (M), Prakasam District
5. M/s. Padmavathi Granities, Rep. by its Proprietor, Pamidi Venkata Ramesh Babu, S/o Venkata Rao, R.L. Puram (V), Chimakurthy (M), Prakasam District.
6. M/s Golden Rocks and Minerals (P) Ltd., Rep. by its Managing Director, B. Krishna Chaitanya, S/o Chenchugarataiah, 1226, Road No.62-A, Shaikpet, Jubilee Hills, Hyderabad, Telangana - 500 033.
7. C.M. Venkata Lakshmmamma, W/o C.M. Balarami Reddy, C/o M/s. Ramakrishna Chemical Limited, Gandhi Nagar, R.S. Road, Kadapa.
8. M/s. Corner Stone, Rep. by its Proprietor M. Chitti Babu, S/o M. Priyanadhan, Door.No.8-216, Old Sujata Nagar, 2nd Lane, VIP Road, Lawyerpet Extension, Ongole Town, Prakasam District.
9. D. Karunakara Reddy, S/o Konda Reddy, 5th lane, Vidya Nagar, Mulaguntapadu Singarayakonda Mandal, Prakasam District.
10. Vaka Srinivasa Reddy, S/o Venkata Hanuma Reddy, K.Uopalapadu Village, Kondepi Mandal, Prakasam District.
11. K. Venkata Ramana, S/o Late. K. Raja Rao, 99, Parama Reddy Hills, Rajendra Nagar Ring Road, Hyderabad - 500 048, Telangana State.
12. M/s. Central Granities, Rep. by its Managing Partner, V. Prasad, Plot No.6, Ground Floor, Saradhi Street, T.Nagar, Chennai, Tamil Nadu.
13. Hamsa Minerals and Exports, Rep. by its G.P.a. V. Sundarnath Reddy, Plot No.1, SBI Colony, Kurnool Road, Ongole, Prakasam District.
14. M/s. Venus Granities, Rep. by its Partner, K.Yasuff Basha, Door No.4/59, Bharathi Street, Swarnapuri Five Roads, Salem, Tamil Nadu.
15. M/s. Sri Lakshimi Venkateswara Granities, Rep. by its Proprietor P. Venkata Ramesh Babu, Flat No.G4, Guptas Temple View, Opp. Sai Baba Temple, Lawyerpet, Ongole, Prakasam District.
16. B. Anjaneyulu, S/o Peraiah, H.No.5-62/63, Sravya Residency, Venkateswara Nagar, 1st Lane, Kurnool Road, Lawyerpet, Ongole, Prakasam District.
17. M/s. Veerabhadra Minerals Private Limited, Rep. by its Managing Director, G.V. Pratap Reddy, 3-A, Siva Sai Sannidhi Plot No.32, Hindi Nagar Opp. Shirdi Saibaba Temple, Punjagutta, Hyderabad, Telangana State.

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 may be pleased to issue a writ, order or direction more particularly one in the nature

of Writ of Mandamus, declaring the Proceedings No.2865/D9/2022, dated 28.10.2022 passed by the 2nd respondent declaring the applications of the petitioner along with other 14 applicants as eneligible as per rule 12(5) (a) (i) of Andhra Pradesh Minor Mineral Concession Rules, 1966 and the Andhra Pradesh Minor Mineral Auction Rules, 2022 amended vide G.O.Ms.No.13, dated 14.03.2022 and G.O.Ms.No.14, dated 14.03.2022 for grant of quarry lease over in an extent of Ac 3.271 hectares in sy.No.65/1A of R.L. Puram Village, Chimakurthy Mandal, Prakasam District, is illegal, irregular, arbitrary, unconstitutional and contrary to the Andhra Pradesh Minor Mineral Concessional Rules and consequently direct the respondents 2 and 3 to process the application of the petitioner as a first one on priority basis.

IA NO: 1 OF 2022 :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the Proceedings No.2865/D9/2022, dated 28.10.2022 passed by the 2nd respondent declaring the applications of the petitioner along with other 14 applicants as eneligible as per rule 12(5) (a) (i) of Andhra Pradesh Minor Mineral Concession Rules, 1966 and the Andhra Pradesh Minor Mineral Auction Rules, 2022 amended vide G.O.Ms.No.13, dated 14.03.2022 and G.O.Ms.No.14, dated 14.03.2022 for grant of quarry lease over in an extent of Ac.3.271 hectares in sy.No.65/1A of R.L. Puram Village, Chimakurthy Mandal, Prakasam District, Pending disposal of WP 40288 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 the orders of the High Court dated 14.12.2022 & 06.03.2023 made herein and upon hearing the arguments of Sri KOTI REDDY IDAMAKANTI Advocate for the Petitioner and of GP FOR MINES AND GEOLOGY for the Respondents 1 to 3, the Court made the following

ORDER:

"At request of the learned Government Pleader, post after two (02) weeks.

Order of status quo granted earlier, in both Writ Petitions is extended until further orders."

**Sd/- B. PRASADA RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

For

SECTION OFFICER

To,

1. One CC to SRI C V R RUDRA PRASAD Advocate [OPUC]
2. One CC to SRI. KOTI REDDY IDAMAKANTI Advocate [OPUC]
3. Two CCs to GP FOR MINES AND GEOLOGY, High Court of Andhra Pradesh. [OUT]
4. One spare copy

HIGH COURT

KSR,J

DATED:20/03/2023

POST AFTER TWO (02) WEEKS

ORDER

WRIT PETITION NO: 4307 OF 2023 AND 40288 OF 2022

INTERIM ORDER EXTENDED

