

## IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF OCTOBER TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION NO: 23443 OF 2021

**Between:**

M Krishna Reddy, S/o.Punna Reddy, Aged about 57 years, R/o.44, MLA & MP Colony,  
Road No.10-C, Jubilee Hills, Hyderabad 500 033, T.S.

**Petitioner****AND**

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Industries and Commerce (Mines & Geology) Dept., Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, Ibrahimpatnam, Krishna' District.
3. The Deputy Director of Mines and Geology, Srikakulam, Srikakulam District.
4. The Assistant Director of Mines and Geology, Tekkali, Srikakulam District

**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, Order or Direction more particularly one in the nature of Mandamus, declaring the action of the 2<sup>nd</sup> respondent in seeking to enforce the provisions of G.O.Ms.No.65, Industries & Commerce (Mines.III) Department, dt.04.08.2021 against the petitioner and in raising a demand for payment of Premium Amount, vide Letter No.3831/D1-2/2020, dt.27.08.2021, in respect of the Quarry/Mining Lease Application, dt.19.09.2014 in relation to Colour Granite (variety of Srikakulam Blue), over an extent of 4.900 Hectares in Sy.No.271 of Padda Village, Meliaputti Mandal, Srikakulam District, as illegal, arbitrary, without jurisdiction, violative of the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 as also violative of Articles 14 and 19 (1)(g) and 265 of the Constitution of India and consequently set-aside the same and direct the respondents to process the Quarry/Mining Lease Application of the petitioner, dt.19.09.2014, without demanding for payment of Premium Amount;

**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 direct the respondents not to take steps for grant of Quarry/Mining Lease in favour of the third parties in respect of the area that is subject matter of the petitioner's Application, dt.19.09.2014 for Quarry/Mining Lease for Colour Granite (variety of Srikakulam Blue), over an extent of 4.900 Hectares in Sy.No.271 of Padda Village, Meliaputti Mandal, Srikakulam District, pending disposal of Writ Petition No.23443 of 2021, on the file of the High Court.

**IA NO: 2 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 suspend the demand raised for payment of "Premium Amount", as contained in the 2nd respondent's Letter No.3831/D1-2/2020, dt.27.08.2021, pending disposal of Writ Petition No.23443 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 upon hearing the arguments of SRI.P.ROY REDDY Advocate for the Petitioner and of learned GP for Mines & Geology for Respondents, the Court made the following.

**ORDER:**

**Learned Government Pleader for Mines and Geology takes notice for the respondents and seeks time for getting instructions.**

**At request, post on 28.10.2021.**

**The respondent authorities shall not take any coercive steps against the petitioner pursuant to the impugned letter No.3831/D1-2/2020, dated 27.08.2021, till 08.11.2021.**

Sd/- G.HELNA NAIDU  
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The Principal Secretary, Industries and Commerce (Mines & Geology) Dept., State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, Ibrahimpatnam, Krishna District.
3. The Deputy Director of Mines and Geology, Srikakulam, Srikakulam District.
4. The Assistant Director of Mines and Geology, Tekkali, Srikakulam District (1 to 4 by RPAD)
5. One CC to SRI.P.ROY REDDY Advocate [OPUC]
6. Two CCs to GP for Mines & Geology, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

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