

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

**MONDAY, THE NINETEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO**

:PRESENT:

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 27763 OF 2022**



Between:

M/s. Vetrivel Minerals (V.V. Minerals), Plot No.A-3, Phase-IV, Near administrative building, VSEZ, Duvvada, Visakhapatnam, Andhra Pradesh, Rep. by its Authorised Signatory and Manager, Mr. Emmanuel Gnana Henry.

... Petitioner

AND

1. The Union of India,, Ministry of Mines, ShastriBhawan, Dr. Rajendra Prasad Road, New Delhi -110001 Rep. by its Secretary,
2. The State of Andhra Pradesh, Rep. by its Secretary, Department of Mines and Geology, A.P. Secretariat, Velagapudi, Amaravati.
3. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, D.No. 7-104, B-Block, 5th and 6th Floors, Vijayawada, Ibrahimpattam, Andhra Pradesh 521456
4. Andhra Pradesh Mineral Development Corporation Ltd, D.No.294/MD, 100ft. road, Kanuru, Vijayawada - 521 137, Andhra Pradesh. Rep. by its Vice Chairman and Managing Director;
5. The Assistant Director of Mines and Geology, ChinnaBondilipuram, Near Tupakula Buildings, Srikakulam- 582 001.
6. M/s. Transworld Garnet India Private Limited, a company incorporated under Companies, having registered Office at No.34, M.G.R. Road, Kalakshetra Colony, Besant Nagar, Chennai, Rep. by its Managing Director.

.... Respondents

WHEREAS the Petitioner above named through his Advocate Sri SUDHAKARA RAO AMBATI 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, order or Direction more particularly in the nature of WRIT OF MANDAMUS declaring the action of the 3rd respondent in the alleged confiscation of minerals on 21-11-2018 as well as Memo No.4337687/D1-1/2021 dt.08-03-2021 under which a Show Cause Notice was issued seeking explanation why the confiscated material should not be shifted to the custody of 4th respondent as well as the Mediator Nama Dt.11-05-2021 under which the confiscated minerals said to have been shifted to the custody of 4th respondent, even without issuing any notice to the petitioner though the minerals were said to have been seized from its premises on 21-11-2018 as well as under Memo dt.08-03-2021, as being illegal, arbitrary and in violation of provisions of Sections 21 and 23 (c) of Mines and Minerals (Development and Regulation) Act, 1957 and in violation of Rules 8 to 12 of The Andhra Pradesh Mineral Dealers Rules, 2017 as notified in G.O.Ms.No.17, Industries and Commerce (M-II) Department, dated 29.01.2018 and

consequently to set aside the alleged confiscation of minerals on 11.05.2021 under a mediator report in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SUDHAKARA RAO AMBATI Advocate for the Petitioner and Sri N.Harinath Assistant Solicitor General of India for respondent No.1 and GP for Mines and Geology for Respondent Nos. 2, 3 & 5 and Sri V.R. Prasanth SC for Respondent No.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 Secretary, Union of India, Ministry of Mines, ShastriBhawan, Dr. Rajendra Prasad Road, New Delhi -110001.
2. The Secretary, Department of Mines and Geology, A.P. Secretariat, State of Andhra Pradesh, Velagapudi, Amaravati.
3. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, D.No. 7-104, B-Block, 5th and 6th Floors, Vijayawada, Ibrahimpatnam, Andhra Pradesh 521456
4. The Vice Chairman and Managing Director, Andhra Pradesh Mineral Development Corporation Ltd, D.No.294/MD, 100ft. road, Kanuru, Vijayawada - 521 137, Andhra Pradesh.
5. The Assistant Director of Mines and Geology, ChinnaBondilipuram, Near Tupakula Buildings, Srikakulam- 532 001.
6. M/s. Transworld Garnet India Private Limited, a company incorporated under Companies, having registered Office at No.34, M.G.R. Road, Kalakshetra Colony, Besant Nagar, Chennai, Rep. by its Managing Director.

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 13-10-2022 on which date the case stands posted for hearing.

**The Court made the following:
ORDER:**

"Notice before admission.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.6 by RPAD and file proof of service by the next date of hearing.

Post on 13.10.2022."

//TRUE COPY//

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

For ASSISTANT REGISTRAR

To,

1. The Secretary, Union of India, Ministry of Mines, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi -110001.
2. The Secretary, Department of Mines and Geology, A.P. Secretariat, State of Andhra Pradesh, Velagapudi, Amaravati.
3. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, D.No. 7-104, B-Block, 5th and 6th Floors, Vijayawada, Ibrahimpatnam, Andhra Pradesh 521456
4. The Vice Chairman and Managing Director, Andhra Pradesh Mineral Development Corporation Ltd, D.No.294/MD, 100ft. road, Kanuru, Vijayawada - 521 137, Andhra Pradesh.
5. The Assistant Director of Mines and Geology, ChinnaBondilipuram, Near Tupakula Buildings, Srikakulam- 532 001.
6. M/s. Transworld Garnet India Private Limited, a company incorporated under Companies, having registered Office at No.34, M.G.R. Road, Kalakshetra Colony, Besant Nagar, Chennai, Rep. by its Managing Director. (by RPAD-along with a copy of petition and memorandum of grounds)
7. Two CC's to GP for Mines and Geology, High Court of AP, Amaravati[OUT]
8. One CC to SRI. V.R. PRASANTH, SC, Advocate [OPUC]
9. One CC to SRI.N.Harinath Assistant Solicitor General of India, Advocate [OPUC]
10. One CC to SRI. SUDHAKARA RAO AMBATI Advocate [OPUC]
11. **One spare copy**

PR

HIGH COURT

RRRJ

DATED:19/09/2022

POST ON 13.10.2022

NOTICE BEFORE ADMISSION

WP.No.27763 of 2022

