

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

TUESDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

**THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
WRIT PETITION NO: 29067 OF 2021**



Between:

G.Ankamma Chowdary, S/o Radhakrishna Murthy, Aged 52 years, R/o D.No.1-769,
10th Line, Pandaripuram, Chilkaluripet, Guntur District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary/Spl.Chief Secretary, Industries and Commerce (Mines) Department, AP Secretariat, Velagapudi, Amaravati, Guntur Dist.
2. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, Ibrahimpatnam, Krishna District.
3. The Assistant Director of Mines and Geology, Ongole, Prakasam District.

...Respondents

Petition under Article 226 of the Constitution of India is filed 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 Certiorari by calling for the 2nd respondent's Demand Notice No.873/V&E/2020-1, dt.27.10.2021, in respect of the lease hold rights of the petitioner over an extent of 4.00 Hectares in Sy.No.103 of Konidena (V), Ballikuruva (M), Prakasam District and quash the same

IA NO: 1 OF 2021

Petition under Section 151 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 2nd respondent's Demand Notice No.873/V&E/2020-1, dt.27.10.2021, pertaining to the petitioner's Mining Leasehold rights for excavation of colour granite over an extent of 4.00 Hectares in Sy.No.103 of Konidena (V), Ballikuruva (M), Prakasam District, Pending disposal of WP 29067 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 GP FOR MINES AND GEOLOGY for the respondent Nos.1 to 3, and the Court made the following.

ORDER:

"This Writ Petition is filed questioning the demand notice issued by the 2nd respondent, dated 27.10.2021, wherein at item No.10 of the reference cited, the Writ Appeal No.350 of 2021 and batch was referred.

Learned counsel for the petitioner submits that the Hon'ble Apex Court, vide order dated 06.12.2021, stayed the operation of the impugned judgment and final order, dated 04.10.2021, passed by this Court in Writ Appeal Nos.221 and 350 of 2021. Hence, the 2nd respondent cannot proceed with the impugned demand notice dated 27.10.2021.

Since the matter is ceased by the Hon'ble Apex Court, the respondent authorities cannot proceed further. In view of the same, the impugned order of the 2nd respondent dated 27.10.2021 is stayed, pending further orders.

List after Pongal Vacation 2023."

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary/Spl.Chief Secretary, Industries and Commerce (Mines) Department, State of Andhra Pradesh, AP Secretariat, Velagapudi, Amaravati, Guntur Dist.
2. The Director of Mines and Geology, Government of Andhra Pradesh, Sri Anjaneya Towers, Ibrahimpatnam, Krishna District.
3. The Assistant Director of Mines and Geology, Ongole, Prakasam District.
(Addresses 1 to 3 by RPAD)
4. One CC to SRI. P ROY REDDY, Advocate [OPUC]
5. Two CCs to GP FOR MINES AND GEOLOGY, High Court Of Andhra Pradesh. [OUT]
6. One spare copy

ER

HIGH COURT

BKM, J

DATED:13/12/2022

List after Pongal Vacation 2023

ORDER

WP.No.29067 of 2021

STAY

