

S U P R E M E      C O U R T   O F   I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7366-7367/2010

(From the judgement and order dated 26/02/2010 in WP No. 25910/2009 & WP No. 26083/2009 of The HIGH COURT OF JUDICATURE OF A.P. AT HYDERABAD)

GOVT.OF A.P.& ORS.

Petitioner(s)

VERSUS

M/S OBULAPURAM MINIG.CO.P.LTD.& ANR. Respondent(s)  
(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief and office report )

Date: 22/03/2010      These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s)      Mr.      G.E. Vahanwati, AG  
                                 Mr.      K.K. Venugopal, Sr. Adv.  
                                 Mr.      T.V. Ratnam, Adv.  
                                 Mr.      Paari Vendhan, Adv.

For Respondent(s)      Mr.      K. Parasaran, Sr. Adv.  
                                 Mr.      P.P. Rao, Sr. Adv.  
                                 Mr.      Mukul Rohatgi, Sr. Adv.  
                                 Mr.      P.S. Narasimha, Sr. AD.  
                                 Mr.      K. Raghavacharayulu, Adv.  
                                 Mr.      Sridhar Potaraju, Adv.  
                                 Mr.      D. Julius Riamei, Adv.  
                                 Mr.      Gaichang Ron Gangmei, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Issue notice.

The Government of Andhra Pradesh granted mining leases in Obulapuram, H. Siddapuram and Malapanagudi villages of Anantapur District and they are near Bellary Reserve Forest. These mining leases were granted to M/s. Bellary Iron Ore Pvt. Ltd., M/s. Y. Mahabaleswarappa & Sons, M/s. Anantapur Mining Corporation and M/s. Obulapuram Mining Company Pvt. Ltd. There is allegation to the effect that lessees have extended their mining operations in the nearby forest area, thereby violating the clauses of Mining leases. There is a CEC Report suggesting that certain forest areas have been used by these mining operators. There is serious dispute regarding the area of these mining leases granted to them by the Government. Looking

to nature of dispute, we deem it fit and proper to pass an order to sort out the problem.

As an interim measure, we direct that boundaries of these six mining leases be determined/demarcated by a team consisting of senior representatives/ officer of the Survey of India from Dehradun Headquarters Heading the Team. Others would be member from MoEF, Mining Department, Forest Department and Revenue Department of State of Andhra Pradesh. Representatives of lessees with assistance of surveyor, if any, can be represented in the team of survey only to facilitate the team to complete the work as mentioned hereinabove at an early date.

The first respondent have got three mining leases consisting of 68.5 Hectares, 25.98 hectares and 39.5 hectares respectively. The team headed by Survey of India is directed to survey in respect of 68.5 hectares of land first and to file a Report on or before 9.4.2010. As soon as the survey of this lease is over, they can proceed with the rest of the mining leases held by the other five lessees. The team shall meet on 26.3.2010 and start measurement work soon thereafter on day-to-day basis. There shall be no mining operations in these leases till 9.4.2010

Copy of this order be remitted to Survey of India Headquarters, Dehradun immediately and it be faxed also.

List on 9.4.2010.

(R.K. Dhawan)  
Court Master

(Veera Verma)  
Court Master