

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND EIGHT

PRESENT
THE HON'BLE MRS JUSTICE T.MEENA KUMARI
and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO : 1317 of 2001

(Writ Appeal under Clause 15 of the Letters Patent against the
Order dated 02/07/2001 in WP NO : 9473 OF 2001 on the file of the
High Court.)

Between:

J.Jaipal S/o J.Narsimhulu
R/o House No.22-45 Lingampally X Road
Ramachandra Puram Hyderabad -32

..... APPELLANT

AND

- 1 The Govt of A.P rep by its Secretary
Industries &Commerce (M.2)Dept Secretariat Building
Hyderabad
- 2 The Director of Mines &Geology Govt Of A.P
BRKR Bhavan ,Tankbund Road Hyderabad
- 3 Joint Council of Chandanagar Colonies Welfare Assoc rep by
its Convenor
Flat No.101, V.R.Residency Hyderabad.

.....RESPONDENT(S)

Counsel for the Appellant:SMT.N.SHOBA

**Counsel for the Respondent No.: GP FOR INDUSTRIES &
COMMERCE**

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL Nos.1317, 1319, 1378 and 1379 OF 2001

COMMON JUDGMENT: (Per Hon'ble Smt. Justice T.Meena Kumari)

The Writ Appeals are filed against the order dated 02.07.2001, of the learned Single Judge in Writ Petition Nos.9473, 9474, 9959 and 9960 of 2001, which were filed questioning the action of the 2nd respondent in issuing proceedings No.1187/R8/Mdk/94, dated 30.12.2000 as confirmed by the 1st respondent in Memo No.1615/M.II(1)/2001-3 dated 27.04.2001. A consequential direction is sought by the appellants herein, to conduct quarrying operations over an extent of 3-000 hectares in Survey No.343/1 of Ameenpur village, Patancheru Mandal, Medak District.

It is the contention of the learned Counsel for the appellants that, after the appellants were given the quarries, some third parties had constructed houses in the mining zone in pursuance of grant of lay outs, that because of the blasting operations there were cracks in the houses resulting in the associations of surrounding colonies making representations to the Government for stopping of the of the quarrying operations and the Director of Mines and Geology passing the order on 30.12.2000, which was confirmed by the 1st

respondent, directing the petitioners to the stop quarrying operations. Hence, the writ petitions were filed.

The learned Single Judge, after having heard both the parties, has opined that as the Director of Mines and Geology by proceedings dated 30.12.2000 had directed the appellants herein to shift their quarrying operation to a distant place and that the process could be facilitated by the Department reallocating their quarries, that the appellants also would suffer no prejudice. The learned Single Judge further observed that the Director of Mining and Geology should consider the applications, if any made by the petitioners, for re-locating the quarries.

The learned Counsel for the appellants has submitted that they have made applications and the same are still pending, undisposed of by the 2nd respondent. In view of the fact that the applications filed by the appellants are pending with the 2nd respondent, while agreeing with the observations of the learned Single Judge, we are of the opinion that it would suffice if the 2nd respondent is directed to consider the applications filed by the appellants herein, if they are not considered already, within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Appeals are disposed of.

T.MEENA KUMARI, J.

RAMESH RANGANATHAN, J.

Date: 01.09.2008
GS/ASP

