

HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JUNE  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION NO: 15178 OF 2012

Between:

1. M/s AQI Metal Industry, rep by Ahmed Awad B., S/o: Awad Ahmed, age 55 years, Occ: Business, R/o H.No.-8-32, Golkonda Fort, Hyderabad - 08.
2. M/s SPR Metal Industries, rep by Sri S Prakash Reddy, S/o: S Parma Reddy, age 50 years, Occ: Business, Kothawalguda Village shamshabad Mandal,
3. M/s Madina Metal Industry, rep by Mohammed Shabeer, S/o: Md. Hafeez, age 52 years, Occ: Business, R/o Kothawalguda Village, shamshabad Mandal,
4. M/s Indian Stone Crusher, rep by Sri Syed Akbar, S/o: syed Wazeer, age 60 years, Occ: Business, R/o H.No.1-89, Durga Klish Khan, Himayathnagar Road,
5. M/s Jagadamba Metal Industries, rep by Sri P. Srinivas, S/o: P Pandu, age 43 years, Occ: Business, R/o H.No.1-7-4, Rajendranagar,
6. M/s A S R Metal Industry, rep by Sri A Sanjeev Reddy, S/o: Thirupathi Reddy, age 50 years, Occ: Business, H.No.2-38, Kismathpura Village Rajendranagar Mandal,
7. M/s S.S. shama Metal Industry, rep by Sri Suraj Singh, S/o: Shankar Singh, Age 44 years, Occ: Business, R/o H.No.12-1-346/3, Dattha Nagar, Asif Nagar,
8. M/s Misri Metal Industry, rep by Sri Alibin Obaid Misri, S/o: Obaid Ali Misri, age 46 years, Occ: Business, R/o D.No.19-4-14/A, 1st Floor, Bhadurpura X Road,
9. M/s Sri Sai Metal Industries, rep by Sri G Bal Reddy, S/o: Sathireddy, age 72 years, Occ: Business, R/o H.No.4-8-137/2, Hyderguda, Ring Road, Attapur,
10. Sri Syed Jamal, S/o: Syed Wazeer, R/o Dargah Kilshkhan, Himayathsagar Road, Ranga Reddy District.
11. M/s Quality Metal Industry, Prop Sri Md. Shareefuddin, S/o Md. Fakruddin, age 44 years, D.No.19-4-430/5/3, Jabri Complex Mir Alaram Tank Road,
12. Sri Venkateshwara Stone Metal Industry, rep by Hassan Bin Abdullah, S/o Abdullah Bin Mubarka, age 45 years Occ Business, R/o 9-1-209/1, Langer House, Kalidasapura,

13. M/s Tirumala Metal Industry, A partnership firm, having its regd Office at Plot No.255, MLA, MPs Colony, Road No.10C, Jubilee Hills, Hyderabad, re by its Mg.Partner P M Kumar, S/o P S Raju, age 52 years, R/o P.No.255,

...PETITIONERS

**AND**

1. Government of Andhra Pradesh, rep by the Principal Secretary, Industries and Commerce [Mines.II] Department, Secretariat, Hyderabad.
2. The Director of Mines and Geology, Andhra Pradesh Floor No.8, Burgula Rama Krishna Bhavan, Opp: Secretariat, Tankbund Hyderabad.
3. The Assistant Director, Mines and Geology, New Nalakuhta, Hyderabad.
4. The Andhra Pradesh Mineral Development Corporation, Limited, rep by its Vice Chairman and Mg Director H.No.6-2-915, 3rd Floor, Rear Block, Hyderabad Metropolitan Water Supply and Sewerage Board [HMWSSB Building] Khairthabad,
5. The Deputy Chief Controller of Explosives, Kendriya Sadan, 1st Floor, Sultan Bazar, Koti, Hyderabad - 500 195.
6. The Hyderabad Metropolitan Development Authority, rep by the Metropolitan Commissioner, Tarnaka, Secunderabad.
7. The District Collector, Ranga Reddy district, Lakdikapul, Hyderabad.

...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 the Writ of Mandamus, declaring the action of the Respondents in harassing the Petitioners without completing the process of declaring the mining zones, as being illegal, contrary to law, without jurisdiction, violative of Articles 14, 19 (1) (g) and 300-A of the Constitution of India and further direct the Respondent No.1 to forthwith declare the existing quarry areas in Survey Nos.38, 42, 47, 54, 55, 56, 65, 66, 71 and 78 of Kothwalguda village, Shamshabad Mandal, Ranga Reddy District as mining zone or in the alternative forthwith complete the process of declaring the mining zones for the purpose of relocating the existing quarry/stone crushing units, including that of the Petitioners and allot them equivalent areas as per G.O.Ms.No.89, Industries and Commerce (M.II) Department, dated 22.3.2006 and till then, to allow the Petitioners to operate their existing quarry/stone crushing units in Kothwalguda, by implementing the orders of the Government in Memo bearing No.1491/M II(1)/2008-1 dated 11.2.2008 and Memo No.5805/M.II(1)/2008 dated 28.5.2008

**I.A. NO: 1 OF 2012(WPMP. NO: 19584 OF 2012)**

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 to permit the operation of the Petitioners existing quarry/stone crushing units in Survey Nos. 38, 42, 47, 54, 55, 56, 65, 66, 71 and 78 of Kothwalguda, Shamshabad, Ranga Reddy District as per the Government Memo bearing Nos. 1491/M.II(1)/2008-1 dated 11.02.2008 and Memo No.5805/M.II(1)/2008 dated 25.05.2008, pending the disposal of the main writ petition,

**I.A. NO: 2 OF 2012(WPMP. NO: 23463 OF 2012)**

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 grant leave to the Petitioners to serve the following interrogatories on the Respondent No.6

**Counsel for the Petitioners: MS. NAUSHEEN NAJM US SAHAR, LEARNED  
COUNSEL APPEARS FOR SRI M. V. DURGA PRASAD**

**Counsel for the Respondent Nos.1 to 3: SRI MAHESH RAJE,  
GP FOR MINES AND GEOLOGY**

**Counsel for the Respondent No.5: -----**

**Counsel for the Respondent No.6: SRI M. DHANANJAY REDDY(SC FOR HUDA)**

**Counsel for the Respondent No.7: GP FOR REVENUE**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**WRIT PETITION No.15178 of 2012**

**ORDER:** (per the Hon'ble the Chief Justice Alok Aradhe)

Ms. Nausheen Najm Us Sahar, learned counsel appears for Mr. M.V. Durga Prasad, learned counsel for the petitioners.

Mr. Mahesh Raje, learned Government Pleader for Mines & Geology appears for respondent Nos.1 to 3.

2. In this petition, the petitioners *inter alia* have prayed for the following relief:

“...Writ of Mandamus, declaring the action of the Respondents in harassing the Petitioners without completing the process of declaring the mining zones, as being illegal, contrary to law, without jurisdiction, violative of Articles 14, 19(1)(g) and 300-A of the Constitution of India and further direct the Respondent No.1 to forthwith declare the existing quarry areas in Survey Nos.38, 42, 47, 54, 55, 56, 65, 66, 71 and 78 of Kothwalguda village, Sharshabad Mandal, Ranga Reddy District as mining zone or in the alternative forthwith complete the process of declaring the mining zones for the purpose of relocating the existing quarry/stone crushing units, including that of the Petitioners and allot them equivalent areas as per G.O Ms.No.89, Industries and Commerce (M II) Department, dated 22.3.2006 and till then, to allow the

Petitioners to operate their existing quarry/stone crushing units in Kothwalguda, by implementing the orders of the government in Memo bearing No.1491/M.II(1)/2008-1 dated 11.2.2008 and Memo No.5805/M.II(1)/2008 dated 28.5.2008.”

3. The quarry lease granted in favour of the petitioners expired on account of efflux of time. Therefore, the grievance of the petitioners does not survive for consideration.

4. Accordingly, the Writ Petition is dismissed as infructuous.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

**SD/-C. PRAVEEN KUMAR**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

**SECTION OFFICER**

To,

1. One CC to Sri M V Durga Prasad, Advocate [OPUC]
2. One CC to Sri M. Dhananjay Reddy(SC for HUDA) [OPUC]
3. Two CCs to GP for mines and geology, High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CCs to The GP for Revenue, High Court for the State of Telangana, at Hyderabad[OPUC]
5. Two CD Copies

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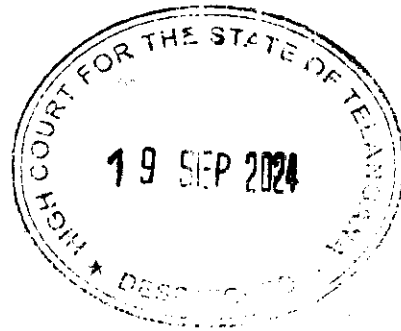
PMG.

**HIGH COURT**

**DATED:20/06/2024**

**ORDER**

**WP.No.15178 of 2012**



**DISMISSING THE WRIT PETITION AS  
INFRACTUOUS**

**WITHOUT COSTS.**

⑨ PMA.  
27/8/24.