

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE K SURESH REDDY
WRIT PETITION NO: 5663 OF 2023**



Between:

Kokkiligadda Veera Vasantha Rao, S/o. Nageswara Rao Aged about 48 years, Occ. Fisherman, R/o. D. No. 31-197-2, Gilakaladindi, Machilipatnam, Krishna District

Writ Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Mines and Geology Department, Secretariat, Amaravati, Guntur District.
2. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada.
3. The Deputy Director of Mines and Geology, Krishna District, at Vijayawada.
4. The Assistant Director of Mines and Geology, Krishna - I, at Vijayawada.
5. The District Collector, Krishna District, at Machilipatnam.
6. Union Of India, Rep., by its Secretary, Ministry of Environment Forest and Climate Change, Indra Paryavaran Bhavan, Jorbagh Road, New Delhi.
7. The Andhra Pradesh Coastal Zone Management Authority, Rep., by its Secretary, Vijayawada.
8. The Tahsildar, Machilipatnam Mandal, Krishna District.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri T VISHNU TEJA 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 or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not considering the Petitioner's Representation dt. 23.02.2023 to stop the illegal sand mining in R.S. No. 677-1 of Gilakaladindi Village, Machilipatnam Mandal, Krishna District which was classified as CRZ 1-A. Contrary to the Coastal Regulation Zone Notification, 2019, as illegal, arbitrary, colorable exercise of power, Violation of Articles 14 and 21 of The Constitution of India, and consequently seeking a direction to the Respondents to consider the Petitioner's representation dt.23.02.2023 and to stall all activities in CRZ 1-A including illegal sand mining in R.S. No. 677-1 of Gilakaladindi, Machilipatnam Mandal, Krishna District, without following due process of law.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri T VISHNU TEJA Advocate for the Petitioner and of GP FOR MINES AND GEOLOGY for Respondent Nos.1 to 4, GP FOR REVENUE for Respondent No.5 and 8, DEPUTY SOLICITOR GENERAL OF INDIA for Respondent Nos.6 & 7, 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 Principal Secretary, Mines and Geology Department, State of Andhra Pradesh, Secretariat, Amaravati, Guntur District.
2. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada.
3. The Deputy Director of Mines and Geology, Krishna District, at Vijayawada.
4. The Assistant Director of Mines and Geology, Krishna - I, at Vijayawada.
5. The District Collector, Krishna District, at Machilipatnam.
6. The Secretary, Union Of India, Ministry of Environment Forest and Climate Change, Indra Paryavaran Bhavan, Jorbagh Road, New Delhi.
7. The Secretary, Andhra Pradesh Coastal Zone Management Authority, Vijayawada.
8. The Tahsildar, Machilipatnam Mandal, Krishna District.

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, within three weeks on which date the case stands posted for hearing.

The Court made the following:

ORDER:

"Notice before admission. The learned Government Pleader for Mines and Geology takes notice on behalf of the respondent Nos.1 to 4, the learned G.P for Revenue takes notice on behalf of the respondent Nos.5 and 8 and the learned Deputy Solicitor General of India takes notice on behalf of the respondent Nos.6 and 7.

At request of both the learned Government Pleaders, post after three (3) weeks for filing counters."

**Sd/- T. MADHAVI
ASSISTANT REGISTRAR**

SECTION OFFICER

//TRUE COPY//

For...

To,

1. The Principal Secretary, Mines and Geology Department, State of Andhra Pradesh, Secretariat, Amaravati, Guntur District.
2. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada.
3. The Deputy Director of Mines and Geology, Krishna District, at Vijayawada.
4. The Assistant Director of Mines and Geology, Krishna - I, at Vijayawada.

5. The District Collector, Krishna District, at Machilipatnam.
6. The Secretary, Union Of India, Ministry of Environment Forest and Climate Change, Indra Paryavaran Bhavan, Jorbagh Road, New Delhi.
7. The Secretary, Andhra Pradesh Coastal Zone Management Authority, Vijayawada.
8. The Tahsildar, Machilipatnam Mandal, Krishna District. (Addresses 1 to 8 by **RPAD** – along with a copy of petition and affidavit)
9. One CC to SRI. T VISHNU TEJA Advocate [OPUC]
10. One CC to DEPUTY SOLICITOR GENERAL OF INDIA, High Court of A.P. [OPUC]
11. Two CCs to GP FOR MINES AND GEOLOGY ,High Court Of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR REVENUE, High Court of A.P. [OUT]
13. One spare copy

npc

HIGH COURT

KSRJ

DATED:07/03/2023

POST AFTER THREE (3) WEEKS FOR FILING COUNTERS

NOTICE BEFORE ADMISSION

WP.No.5663 of 2023

