

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. of 2025

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DATE: 21 -01-2025  
Amaravathi

*V.V. Lakshmi Narayan*  
Counsel for the Petitioners

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**MEMORANDUM OF WRIT PETITION  
(SPECIAL ORIGINAL JURISDICTION)  
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**W.P. NO.**

**OF 2025**

Between:

1. Popuri Srinivasarao,  
S/o Hanumaiah, age    years,  
R/o D.No.14-49, Martur Village & Mandal,  
Prakasam District, Andhra Pradesh – 523301.
2. Dhulipalla Pitchaiah,  
S/o Mallikharjunarao, age 40 years,  
R/o D.No.1-103/B, Murikupudi,  
Guntur District Andhra Pradesh – 522626.

... Petitioners

**AND**

1. The State of Andhra Pradesh Rep by its Principal  
Secretary, Revenue & Endowments Department,  
Secretariat, Velagapudi, Amaravathi. Guntur District
2. The State of Andhra Pradesh Rep by its Principal  
Secretary, Industries and Commerce, Mines  
Department, Block III, Velagapudi, AP Secretariat,  
Amaravati, Guntur District, Andhra Pradesh.
3. The State of Andhra Pradesh Rep. by It's Principal  
Secretary, Revenue Department, Secretariat,  
Velagapudi, Amaravathi. Guntur District.
4. The State of Andhra Pradesh Rep. by It's Principal  
Secretary, R&B Department, Secretariat,  
Velagapudi, Amaravathi, Guntur District.
5. Engineer-in-Chief R&B,  
Address: D. No.7-104, Sri Anjaneya Towers,  
Block - A, 5th Floor, N.T.R.T.P.S. Road,  
Ibrahimpattam Mandal - 521 456,  
NTRPSS Road, Vijayawada Mylavaram Rd,  
Bhimaraju Gutta, Ibrahimpattam,  
Andhra Pradesh 521456

- 4
6. Director of Mines and geology,  
(DMG) Department of Mines and Geology,  
Sri Anjaneya Towers, D.No. 7-104, B-Bock,  
5th & 6th floors, Ibrahimpatnam,  
Vijayawada Andhra Pradesh-521456.
  7. Directorate General of Mines Safety,  
Dhanbad And Ministry Of Labour And Employment,  
Address: DGMS Head Office, Sardar Patel Nagar,  
Dhanbad, Jharkhand 826001
  8. Deputy Director of Mines and Geology,  
O/o D.No. 4-2-5B, 1/1, Koretipadu,  
Rammanama peta, Guntur,  
Andhra Pradesh - 522001.
  9. Assistant Director of Mines and Geology,  
House No.5-76-22, 4th Lane,  
Pandarai Puram, Guntur-522002.
  10. Assistant Director of Mines and Geology, (FAC)  
Address: Near Railway Station, Naryanapura,  
Nadikudi, Dachepalli -522414, Guntur District.
  11. Asst Director of Mines & Geology,  
H.No. 78-7-10, Gandhipuram, Rajahmundry,  
East Godavari District. -533103
  12. Dy. Director of Mines Safety,  
Opp- Sp Bunglow, Podalkur Road,  
P.O. Dargamitta - Nellore-524001
  13. Director of Mines Safety & SO,  
Room No.: 701, 7th Floor, Cgo Tower,  
Old Pra Gato Ols Premises, Kavadiguda,  
Secunderabad, Hyderabad Telangana, Pin:500 080.
  14. The Deputy Commissioner,  
Endowments, Guntur. State of A.P.
  15. The District Collector,  
Palnadu District, Narasaropet.
  16. The Joint Collector,  
Guntur District, Guntur

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17. The Revenue Divisional Officer,  
Narasaraopet,
  18. The Tahasildar,  
Chilakalurupet Mandal,  
Guntur District, Guntur, A.P
  19. The Commissioner,  
Endowments Department, A P,  
Gollapudi, Vijayawada, Krishna District.
  20. The Assistant Commissioner,  
Endowments Department,  
Naaz Centre Guntur.
  21. The Executive Officer,  
Sri Venkateswara Swamy Temple, Boppudi.
  22. A.Seetarama Raju, S/o A.Venkata Ramaraju,  
age 55 years, Occ: Business, R/o 2<sup>nd</sup> Floor,  
LIG 403, Road No.3, Phase 1 and 2,  
KPHB Colony, Hyderabad – 500085.
  23. Dr. B.N.Ramesh,  
S/o late Pandurangarao, age 63 years,  
Occ: Professor of Law and Management Dean  
of Maharashtra National Law University,  
Address: Maharashtra National Law University,  
Aurangabad, Paithan Road, Kanchanwadi,  
State of Maharashtra – 431011.

...Respondents

The address for service of all notices is as above and that of his counsel  
SRI V.V.LAKSHMI NARAYANA AND SRI. KAVURI GOPINATH, SRI.  
NUTHALAPATI MOHAN, SMT. P.NAMRATHA CHOUDARY, Advocates, Flat  
No. 104, First floor, Sri Krishna Residency, Rajendra Nagar 1<sup>st</sup> line, Guntur-  
522006.

For the reasons stated above in the writ petition, the petitioner  
prays that this Hon'ble Court may be pleased to issue a Writ, Order,  
Direction more particularly one in the nature of Writ of Mandamus  
declaring the action of the respondents in not taking any action against

the respondent Nos.22 and 23 who are illegally encroached and trespassed the part of property of hill belongs to Sri Lord Venkateswara Swamy Temple and laying the ghat road upto hillock of the temple without obtain any permissions from the concerned department and also carried illegal Mining over the hills under the name of ghat road and also in not considering the representation dated 28.07.2021 made by the 1<sup>st</sup> petitioner to the respondents is as illegal, arbitrary and also violation of Articles 14, 21 and 300A of the Constitution of the India and also contrary to the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 and also Mines and Mineral Concession Rules and consequently direct the respondents to take action against the respondent Nos.22 and 23 in accordance with law and to pass such other order or further orders which are deemed fit and proper in the circumstances of the case.

Amaravathi  
DATE: 21-01-2025

  
Counsel for the Petitioner

GUNTUR :: DISTRICT

THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATHI

W.P. NO. OF 2025

WRIT PETITION

Filed By:

**V.V. LAKSHMI NARAYANA (6619)**  
**KAVURI GOPINATH(23104)**  
**HIMA BINDU DRAKSHARAM(15450)**  
**P.NAMRATHA CHOUDARY (23710)**  
**NUTHALAPATI MOHAN (24799)**  
**RAJA SEKHAR DANDLAMUDI (21539)**

**Advocates**

Counsel for Petitioner

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.No. of 2025

LIST OF EVENTS

ANNEXURE - I

Sl. No.	Date	Description of the Events	Page Nos.	Para No.
1	Nil	the action of the respondents in not taking any action against the respondent Nos.22 and 23 who are illegally encroached and trespassed the part of property of hill belongs to Sri Lord Venkateswara Swamy Temple and laying of the ghat road upto hillock of the temple without obtain any permissions from the concerned department and also carried illegal Mining over the hills under the name of ghat road.	12	2
2	Nil	I and 2 <sup>nd</sup> petitioner are devotees of Sri Lord Venkateswar Swamy which is situated at Boppudi Hills, Boppudi Village, Chilakaluripet Mandal and we are used to visit the temple and perform the poojas to Sri Lord Venkateswara and also we offer donations to the temple. Apart from that at the request of the said one A.Seetharamaraju who is the respondent No.22 we donated amounts as well as material as a part of forming the ghat road as per his inducement and representation of the said A.Seetharamaraju keeping in view of interest and development of the temple.	13	3
3	Nil	Alluri Seetharama Raju, belongs to Boppudi village, since 1990 he has been residing at Kukkatpally, Hyderabad. Approximately in the year 2008 he has induced the devotees including petitioners and Villagers of the Boppudi Village and surrounding villagers by representing that he being a devotee of the Lord Venkateswara Swamy he has made a proposal for laying of road towards Sri Venkateswara Swamy Temple from the foot hills to the temple, and further represented that the total cost of the road is about Rs.22,00,000/- and out of that he would bear an amount of Rs.10,00,000/- and remaining amount he wants to collect from the devotees as a contributions/donations.	13	4

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4	Nil	since 2008 he has been collecting huge amounts from the devotees across the state and including Hyderabad, by inducing them for formation of road up to hillock of the temple. But he did not take any steps for laying of road whenever the devotees questioned formally he had begin the work and the same was continued one or two days and stopped the same without notice to the public he left the village.	14	5
5	Nil	the said Alluri Seetharama Raju used to made the blasting for laying of road without permission of the concerned authorities and the stones which are coming from blasting were transported and dumped in the tank named as Raajugaari Cheruvu. The said Cheruvu was formed about hundred years back which is meant for public purpose including for the drinking water for pilgrims by travelling and requested to stop the laying of road and take action against Sri Alluri Seetharama Raju.	14	6
6	15/07/2008	the members of the Joint Inspection Committee clearly pointed out with regard to laying of road by Sri Alluri Seetharama Raju without permission of the concerned authorities and further failed to see that the Gram Panchayat had not given any permission for laying of road by way of Gralution dated 15/07/2008 which is forged one and further though it is a genuine for sake of argument the Gram Panchayat has no power to pass such resolution for laying of road through mining land and further recently the Panchayat Secretary, Gram Panchayat has informed that the Gram Panchayat had not given any permission to Alluri Seetharama Raju for laying of road and further informed that there is no approved donor for laying the ghat and the budget was also not sanctioned and further ghat road is going through temple and mining lands.	14	7
7	28.07.2021 29.07.2021	it is clearly evidenced that the above said Alluri Seetharama Raju and B.N. Ramesh colluded with the concerned authorities have committed so many irregularities and illegalities and encroached the government property. Therefore we are requesting this Hon'ble Authority may be pleased to initiate the enquiry in the above subject matter and take appropriate action with	15	9



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		regard to disciplinary action, recovery of the amount, and to file criminal case against the culprits including the public servants who are colluded with them by way of written representation dated 28.07.2021 and the same were posed on 29.07.2021 though the respondent authorities received the said representation they did not take any action till date.		
8	01.06.2017 07.04.2017	one Executive Engineer, R & B Division, Narasaraopet issued one letter vide No.Lr.Rc.No.06/RTI/NRT/Boppudi Hills/ECI/2016-17, dated 01.06.2017 where it is informed to the applicant filed under RTI Act that no permission was given to Mr. ASR Raju the formation of ghat road Sri Venkateswara Swamy Temple situated at Boppudi Hills by the R & B Division, Narasaraopet. Apart from that the Panchayat Secretary, Grama Panchayat, Boppudi issued one letter on 07.04.2017 and the same was communicated to the applicant filed under RTI Act wherein it has stated that "the Gram Panchayat not given any permission to the Mr. Alluri Seetha Rama Raju for laying of the ghat road etc.	16	10

## ANNEXURE-II

Under Article 226 of Constitution of India.

Amaravathi

DATE: 21-01-2025

*V.V. Vasanthi Nayyar*  
Counsel for Petitioner

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P.No. of 2025

Between:

1. Popuri Srinivasarao,  
S/o Hanumaiah, age years,  
R/o D.No.14-49, Martur Village & Mandal,  
Prakasam District, Andhra Pradesh – 523301.
2. Dhulipalla Pitchaiah,  
S/o Mallikharjunarao, age 40 years,  
R/o D.No.1-103/B, Murikupudi,  
Guntur District Andhra Pradesh – 522626.

... Petitioners

AND

1. The State of Andhra Pradesh Rep by its Principal Secretary, Revenue & Endowments Department, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The State of Andhra Pradesh Rep by its Principal Secretary, Industries and Commerce, Mines Department, Block III, Velagapudi, AP Secretariat, Amaravati, Guntur District, Andhra Pradesh.
3. The State of Andhra Pradesh Rep. by It's Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
4. The State of Andhra Pradesh Rep. by It's Principal Secretary, R&B Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
5. Engineer-in-Chief R&B,  
Address: D. No.7-104, Sri Anjaneya Towers,  
Block - A, 5th Floor, N.T.R.T.P.S. Road,  
Ibrahimpattam Mandal - 521 456,  
NTRPSS Road, Vijayawada Mylavaram Rd,  
Bhimaraju Gutta, Ibrahimpattam,  
Andhra Pradesh 521456
6. Director of Mines and geology,  
(DMG) Department of Mines and Geology,  
Sri Anjaneya Towers, D.No. 7-104, B-Bock,  
5th & 6th floors, Ibrahimpattam,  
Vijayawada Andhra Pradesh-521456.



7. Directorate General of Mines Safety,  
Dhanbad And Ministry Of Labour And Employment,  
Address: DGMS Head Office, Sardar Patel Nagar,  
Dhanbad, Jharkhand 826001
8. Deputy Director of Mines and Geology,  
O/o D.No. 4-2-5B, 1/1, Koretipadu,  
Rammanama peta, Guntur,  
Andhra Pradesh - 522001.
9. Assistant Director of Mines and Geology,  
House No.5-76-22, 4th Lane,  
Pandarai Puram, Guntur-522002.
10. Assistant Director of Mines and Geology, (FAC)  
Address: Near Railway Station, Naryanapura,  
Nadikudi, Dachepalli -522414, Guntur District.
11. Asst Director of Mines & Geology,  
H.No. 78-7-10, Gandhipuram, Rajahmundry,  
East Godavari District. -533103
12. Dy. Director of Mines Safety,  
Opp- Sp Bunglow, Podalkur Road,  
P.O. Dargamitta - Nellore-524001
13. Director of Mines Safety & SO,  
Room No.: 701, 7th Floor, Cgo Tower,  
Old Pra Gato Ols Premises, Kavadi guda,  
Secunderabad, Hyderabad Telangana, Pin:500 080.
14. The Deputy Commissioner,  
Endowments, Guntur. State of A.P.
15. The District Collector,  
Palnadu District, Narasaraopet.
16. The Joint Collector,  
Guntur District, Guntur
17. The Revenue Divisional Officer,  
Narasaraopet,
18. The Tahasildar,  
Chilakalurupet Mandal,  
Guntur District, Guntur, A.P



19. The Commissioner,  
Endowments Department, A P,  
Gollapudi, Vijayawada, Krishna District.
20. The Assistant Commissioner,  
Endowments Department,  
Naaz Centre Guntur.
21. The Executive Officer,  
Sri Venkateswara Swamy Temple, Boppudi.
22. A.Seetarama Raju, S/o A.Venkata Ramaraju,  
age 55 years, Occ: Business, R/o 2<sup>nd</sup> Floor,  
LIG 403, Road No.3, Phase 1 and 2,  
KPHB Colony, Hyderabad – 500085.
23. Dr. B.N.Ramesh,  
S/o late Pandurangarao, age 63 years,  
Occ: Professor of Law and Management Dean  
of Maharashtra National Law University,  
Address: Maharashtra National Law University,  
Aurangabad, Paithan Road, Kanchanwadi,  
State of Maharashtra – 431011.

...Respondents

### AFFIDAVIT

I, Popuri Srinivasarao, S/o Hanumaiah, age    years, R/o D.No.14-49,  
Martur Village & Mandal, Prakasam District, Andhra Pradesh – 523301, do  
hereby solemnly affirm and state on oath as follows:-

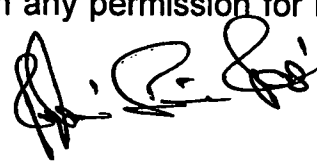
1. I am the 1<sup>st</sup> Petitioner herein and as such I am fully acquainted with the  
facts of the case. I am having authorization from the 2<sup>nd</sup> petitioner to depose  
affidavit and file writ petition.
2. The writ petition is being filed questioning the action of the respondents in  
not taking any action against the respondent Nos.22 and 23 who are  
illegally encroached and trespassed the part of property of hill belongs to  
Sri Lord Venkateswara Swamy Temple and laying of the ghat road upto  
hillock of the temple without obtain any permissions from the concerned  
department and also carried illegal Mining over the hills under the name of

ghat road and also in not considering the representation dated 28.07.2021 made by the 1<sup>st</sup> petitioner to the respondents is as illegal, arbitrary and also violation of Articles 14, 21 and 300A of the Constitution of the India and also contrary to the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 and also Mines and Mineral Concession Rules.

3. I submit that I and 2<sup>nd</sup> petitioner are devotees of Sri Lord Venkateswar Swamy which is situated at Boppudi Hills, Boppudi Village, Chilakaluripet Mandal and we are used to visit the temple and perform the poojas to Sri Lord Venkateswara and also we offer donations to the temple. Apart from that at the request of the said one A.Seetharamaraju who is the respondent No.22 we donated amounts as well as material as a part of forming the ghat road as per his inducement and representation of the said A.Seetharamaraju keeping in view of interest and development of the temple. Thereby we are entitle to file this writ petition as a devotes of the said temple.
4. I submit that one Alluri Seetharama Raju, belongs to Boppudi village, since 1990 he has been residing at Kukkatpally, Hyderabad. Approximately in the year 2008 he has induced the devotees including petitioners and Villagers of the Boppudi Village and surrounding villagers by representing that he being a devotee of the Lord Venkateswara Swamy he has made a proposal for laying of road towards Sri Venkateswara Swamy Temple from the foot hills to the temple, and further represented that the total cost of the road is about Rs.22,00,000/- and out of that he would bear an amount of Rs.10,00,000/- and remaining amount he wants to collect from the devotees as a contributions/donations. Believing his words the devotees including petitioners and others gave a donations in form of money and materials for laying of road to the subject temple. At the time of inducement he informed to the public that he already got permissions from all the concerned departments.

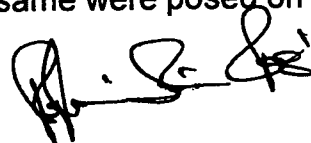


5. It came to know that since 2008 he has been collecting huge amounts from the devotees across the state and including Hyderabad, by inducing them for formation of road up to hillock of the temple. But he did not take any steps for laying of road whenever the devotees questioned formally he had begin the work and the same was continued one or two days and stopped the same without notice to the public he left the village. We came to know that in the year 2012 the said Alluri Seetharama Raju has threatened and black mail the leaseholders towards demanding to contribute by way of money or material otherwise he exploit the public by false information that the leaseholders are obstructed for laying of road and other false information that operation of the mining would be damaged the temple and human habitation and also at the influence of B.N. Ramesh, Additional D.G.P., West Bengal, the mining leases would be cancelled, the same was informed to the concerned authorities but there was no respond from them, thereby without having any option to the leaseholders then it has provided the machinery and also provided the vehicles for transport of mud and stones, total worth about Rs.20,00,000/- (Rupees twenty lakhs only), and further the Alluri Seetharama Raju, encroached the leased property of the petitioner unauthorizedly for laying of road.
6. It is submitted that the said Alluri Seetharama Raju used to made the blasting for laying of road without permission of the concerned authorities and the stones which are coming from blasting were transported and dumped in the tank named as Raajugaari Cheruvu. The said Cheruvu was formed about hundred years back which is meant for public purpose including for the drinking water for pilgrims by travelling and requested to stop the laying of road and take action against Sri Alluri Seetharama Raju.
7. It is further evidenced that the members of the Joint Inspection Committee clearly pointed out with regard to laying of road by Sri Alluri Seetharama Raju without permission of the concerned authorities and further failed to see that the Gram Panchayat had not given any permission for laying of



road by way of Gralution dated .15/07/2008 which is forged one and further though it is a genuine for sake of argument the Gram Panchayat has no power to pass such resolution for laying of road through mining land and further recently the Panchayat Secretary, Gram Panchayat has informed that the Gram Panchayat had not given any permission to Alluri Seetharama Raju for laying of road and further informed that there is no approved donor for laying the ghat and the budget was also not sanctioned and further ghat road is going through temple and mining lands. This information was given against the reply to the representation made by N. Hanumantha Rao under RTI Act. It is submitted that it is clearly proved that the Gram Panchayat has no power to sanction the laying of ghat road through mining and temple lands.

8. It is submitted that Sri A.S.R. Raju and B.N. Ramesh at the time of forming the ghat road unauthorizedly they have made blasting and conducting nuisance cause the damage to the temple and its path way while adversely affecting the surroundings. In this issue it is necessary to find out in respect of the damage of path way caused by them or licensed leaseholders, but though the concerned authorities have got knowledge about the laying of the road unauthorizedly and the petitions are in pending before them with regard to conducting of blasting by the Alluri Seetharama Raju. But they did not take any action.
9. In view of the shove forte and circumstances it is clearly evidenced that the above said Alluri Seetharama Raju and B.N. Ramesh colluded with the concerned authorities have committed so many irregularities and illegalities and encroached the government property. Therefore we are requesting this Hon'ble Authority may be pleased to initiate the enquiry in the above subject matter and take appropriate action with regard to disciplinary action, recovery of the amount, and to file criminal case against the culprits including the public servants who are colluded with them by way of written representation dated 28.07.2021 and the same were posed on 29.07.2021



though the respondent authorities received the said representation they did not take any action till date. It is further submitted that prior to my representations the authorities came to knowledge that without having any permissions and approvals the said A.Seetharama Raju formation of the ghat road and the same was inaugurated by the Dr. B.N.Ramesh who is worked as Member of founder trusty of the said temple which is nothing but without having any right the said ghat road was inaugurated and it is needless to say the said ghat road was formed without permissions from the concerned authorities thereby it was not safe to travel through ghat road and for evidencing that within few days the said A.Seetharama Raju affixed one Shilapalakam on that it was written under caption that "caution to public without having that permissions the said road was inaugurated thereby if any incidents were occurred there was no response to him."

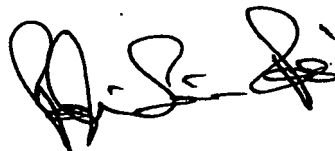
10. It is further submitted that one Executive Engineer, R & B Division, Narasaraopet issued one letter vide No.Lr.Rc.No.06/RTI/NRT/Boppudi Hills/ECI/2016-17, dated 01.06.2017 where it is informed to the applicant filed under RTI Act that no permission was given to Mr. ASR Raju the formation of ghat road Sri Venkateswara Swamy Temple situated at Boppudi Hills by the R & B Division, Narasaraopet. Apart from that the Panchayat Secretary, Grama Panchayat, Boppudi issued one letter on 07.04.2017 and the same was communicated to the applicant filed under RTI Act wherein it has stated that "the Gram Panchayat not given any permission to the Mr. Alluri Seetha Rama Raju for laying of the ghat road etc. Apart from that the same facts and reports was revealed in Revision Order vide in Memo No.3655/M.I(2)/2017 dated 12.12.2018 issued by the Additional Secretary, Industries and Commerce (Mines) Department, Government of Andhra Pradesh.





11. In the above said circumstances in which the Petitioner is placed the Petitioner has no other alternative remedy except to seek redress from this Hon'ble Court under Act. 226 of the Constitution of India. I have not filed any other Writ Petition for the relief sought for in this Writ Petition.
12. I also submit to the Hon'ble Court that I have not filed any case before any Court, Authority or Tribunal.

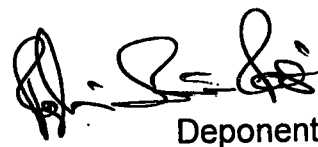
For the reasons and grounds mentioned in the above Writ Petition the petitioners prays that the Hon'ble Court may be pleased to issue a Writ, Order, Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not taking any action against the respondent Nos.22 and 23 who are illegally encroached and trespassed the part of property of hill belongs to Sri Lord Venkateswara Swamy Temple and laying the ghat road upto hillock of the temple without obtain any permissions from the concerned department and also carried illegal Mining over the hills under the name of ghat road and also in not considering the representation dated 28.07.2021 made by the 1<sup>st</sup> petitioner to the respondents is as illegal, arbitrary and also violation of Articles 14, 21 and 300A of the Constitution of the India and also contrary to the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 and also Mines and Mineral Concession Rules and consequently direct the respondents to take action against the respondent Nos.22 and 23 in accordance with law and to pass such other order or further orders which are deemed fit and proper in the circumstances of the case.



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Pending disposal of the main case, it is therefore prayed that this Hon'ble court may be pleased to grant interim direction, to direct the respondents to consider and disposal off the representation dated 28.07.2021 pending the writ petition and to pass such other order or further orders which are deemed fit and proper in the circumstances of the case.

Solemnly and sincerely affirm this  
the 20<sup>th</sup> day of January, 2025  
and signed his name in my presence.



Deponent

BEFORE ME

ADVOCATE :: Amaravati

VERIFICATION STATEMENT

I, Popuri Srinivasarao, S/o Hanumaiah, age    years, R/o D.No.14-49, Martur Village & Mandal, Prakasam District, Andhra Pradesh – 523301, do hereby declare that the facts mentioned in the above paras are true and correct to best of my knowledge based on records and the advice of my counsel and I have not suppressed any material facts. Hence verified at Amaravathi on this the 20<sup>th</sup> day of January, 2025.



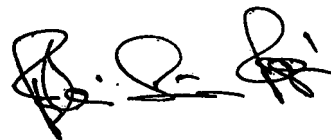
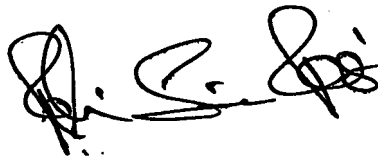
Counsel for Petitioners



Deponent



11. Asst. Director of Mines & Geology,  
H.No. 78-7-10, Gandhipuram,  
Rajahmundry, East Godavari District. -533103
  12. Dy. Director of Mines Safety  
Opp- Sp Bunglow, Podalkur Road, P.O. Dargamitta - Nellore-524001
  13. Director of Mines Safety & SO  
Room No.: 701, 7<sup>th</sup> Floor, Cgo Tower,  
Old Pra Gato Ols Premises, Kavadi guda,  
Secunderabad, Hyderabad Telangana, Pin:500 080
  14. The District Collector,  
Guntur District, Guntur
  15. The Joint Collector,  
Guntur District, Guntur
  16. The Revenue Divisional Officer  
Narasaraopet,
  17. The Tahasildar, chilakalurupet Mandal,  
Guntur District, Guntur, A.P
  18. The Commissioner  
Endowments Department A P  
Gollapudi Vijayawada Krishna District
  19. The Deputy Commissioner  
Endowments, Guntur.  
State of A.P.
  20. The Regional Joint Commissioner  
Endowments Department  
Tirupathi, State of Andhra Pradesh.
  21. The Assistant Commissioner  
Endowments Department Naaz Centre Guntur
  22. The Executive Officer  
Sri Venkateswara Swamy Temple Boppudi
- Sub:** Request to take action against Mr. Alluri Seetharama Raju and B.N. Ramesh who are unauthorisedly, illegally, laying the road without any permission from the concerned authorities and misappropriated the amount which is collected from the donors and devotees and encroached and damaged the mining and temple properties i.e., Sri Venkateswara Swamy Temple, Boppudi Village, Chilakaluripet Mandal, Guntur District. Reminder representation in continuation to the previous representations dated 12-06-2017, and 08-10-2019

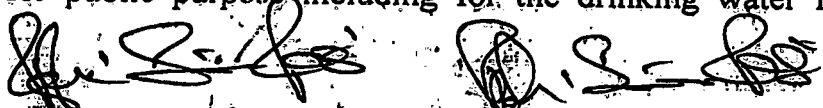


Respected Sir,

We submit that one Alluri Seetharama Raju, belongs to Boppudi village, since 1990 he has been residing at Kukkatpally, Hyderabad. Approximately in the year 2008 he has induced the devotees and villagers of the Boppudi Village and surrounding villagers by representing that he being a devotee of the Lord Venkateswara Swamy he has made a proposal for laying of road towards Sri Venkateswara Swamy Temple from the foot hills to the temple, and further represented that the total cost of the road is about Rs.22,00,000/- and out of that he would bear an amount of Rs.10,00,000/- and remaining amount he wants to collect from the devotees as a contributions/donations. Believing his words the devotees and others gave a donations in form of money and materials for laying of road to the subject temple. At the time of inducement he informed to the public that he already got permissions from all the concerned departments.

It came to know that since 2008 he has been collecting huge amounts from the devotees across the state and including Hyderabad, by inducing them for formation of road up to hillock of the temple. But he did not take any steps for laying of road whenever the devotees questioned formally he had begin the work and the same was continued one or two days and stopped the same without notice to the public he left the village. In the year 2012 the said Alluri Seetharama Raju has threatened and black mail the leaseholders towards demanding to contribute by way of money or material otherwise he exploit the public by false information that the leaseholders are obstructed for laying of road and other false information that operation of the mining would be damaged the temple and human habitation and also at the influence of B.N. Ramesh, Additional D.G.P., West Bengal, the mining leases would be cancelled, the same was informed to the concerned authorities but there was no respond from them, thereby without having any option to the leaseholders then it has provided the machinery and also provided the vehicles for transport of mud and stones, total worth about Rs.20,00,000/- (Rupees twenty lakhs only), and further the Alluri Seetharama Raju, encroached the leased property of the petitioner unauthorizedly for laying of road.

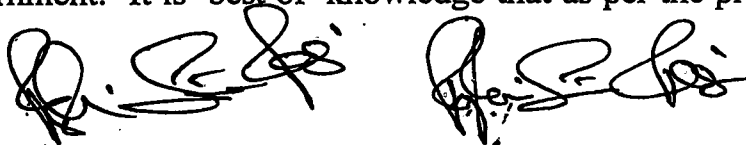
It is submitted that the said Alluri Seetharama Raju used to made the blasting for laying of road without permission of the concerned authorities and the stones which are coming from blasting were transported and dumped in the tank named as Raajugaari Cheruvu. The said Cheruvu was formed about hundred years back which is meant for public purpose including for the drinking water for



animals and cultivation. We submit that after filling of the said tank by dumping the stones he sold the same to the B. Nagamani, W/o. Late B. Pandurangara Rao who is none other than the mother of B.N. Ramesh. It is needless to say that the said tank was established for public purpose and without permission of the concerned authorities the same was filled up with stones and mud which were taken from the government mining land and hills, i.e., outside of the mining area as well as mining area.

It is submitted that till today he did not obtained any valid permission from the concerned authorities. It is submitted that on constrained pressure on the Alluri Seetharama Raju by the devotees formed a road without following any standards and safety and horridly he and B.N. Ramesh who is the son of B. Nagamani had inaugurated the road and formed the Silaphalakam in the temple premises on 17/03/2016 without any intimation to the devotees and concerned authorities. In the said Silaphalakam it has mentioned that the family members of A. Seetharama Raju was donated Rs.68,00,000/- for laying of road, which is absolutely false. He misappropriated the amount which was collected from the devotees, public, including the leaseholders of granites by way of transport vehicles and material. It is evidenced that he himself made the statement before the R.D.O., it is informed that the public are ready to donate about 2 crores for contribution for laying of road and further evidenced that on his letter dated 15/11/2005 submitted to the mining authorities in which it has mentioned that he has spent Rs.22,00,000/- for laying of road. It is further evidence that in contempt petition no. 654 of 2015 filed by the 4th respondent before the Hon'ble High Court in his affidavit it has mentioned that "our villagers developed the ghat road" it is very clearly appears that he had collected donations from the public, but he has mentioned in the Silaphalakam, the family members of the Alluri Seetharama Raju had donated for laying of the ghat road. It is submitted that recently the said Alluri Seetharama Raju put the Board at the entrance of ghat road. In that Board it was mentioned that the road was formed without permission of the government authorities and the travelling on the ghat road are not safe. The above said attitude of the said Alluri Seetharama Raju, has clearly appears that for political motivation and personal gain he had created the above said false litigations in the subject matter.

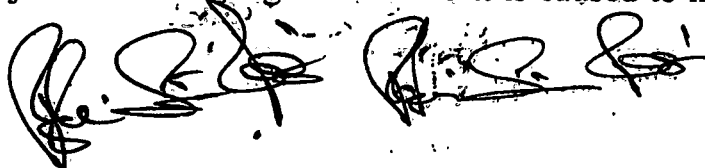
It is submitted that the leased property as well as the property of the temple vested with the Government. It is best of knowledge that as per the procedure if



anybody wants to develop the temple by way of forming of road or other developments there must be a permission from the concerned authorities and the said authorities before giving permission they should make an enquiry on ground level in respect of feasibility of the road through Engineering Department, like R & B and further depositing the donated amount in the account of Government under the supervision of Engineering Department the development may be taken up. It is further submitted that the individual could not take the law in his hands as he wishes and desire. In the instance case the Alluri Seetharama Raju did not get any permission from the concerned authorities and not deposited the amount in the Government agencies which were collected from the public and devotees, though he has no right to form the road. Without following the above said procedure he himself formed a road by made blasting and finally inaugurated the same through one B.N. Ramesh without intimation to the public and devotees and the concerned authorities. It is needless to say that Alluri Seetharama Raju and B.N. Ramesh has encroached the property of mining department and damaged the temple property by putting Silaphalakam by mentioning false information that the family members of him has donated the amount for laying of road.

It is submitted that the above said attitude of Alluri Seetharama Raju is played fraud with the public and devotees and government authorities by way of collection of huge amounts from the devotees and mining leaseholders and without getting permission from the concerned authorities he himself laid the road, though the authorities including Joint Inspection Committee constituted by the aware of the said facts they did not take any action till today even though several complaints made by the villagers, archakas and the founder trustee of the subject temple of Lord Sri Venkateswara Swamy previously. At the instance and influence of the said B.N. Ramesh, who is working as Additional D.G.P., in West Bengal, the concerned authorities did not take any steps against Sri Alluri Seetharama Raju, though the primary duty of the authorities to protect the government property colluded with them they have not initiated any proceedings.

It is further submitted that the founder trustee of Sri Venkateswara Swamy Temple, made a representation since 2008 to the M.R.O., Chilakaluripeta Rural, Chilakaluripeta, and C.I. of Police, Chilakaluripeta Rural, and other concerned authorities, wherein it has complained that without permission of the authorities Alluri Seetharama Raju has been laying of road and it is caused to not safe to the



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pilgrims by travelling and requested to stop the laying of road and take action against Sri Alluri Seetharama Raju.

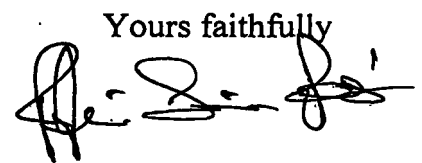
It is further evidenced that the members of the Joint Inspection Committee clearly pointed out with regard to laying of road by Sri Alluri Seetharama Raju without permission of the concerned authorities and further failed to see that the Gram Panchayat had not given any permission for laying of road by way of resolution dated 15/07/2008 which is forged one and further though it is a genuine for sake of argument the Gram Panchayat has no power to pass such resolution for laying of road through mining land and further recently the Panchayat Secretary, Gram Panchayat has informed that the Gram Panchayat had not given any permission to Alluri Seetharama Raju for laying of road and further informed that there is no approved donor for laying the ghat and the budget was also not sanctioned and further ghat road is going through temple and mining lands. This information was given against the reply to the representation made by N. Hanumantha Rao under RTI Act. It is submitted that it is clearly proved that the Gram Panchayat has no power to sanction the laying of ghat road through mining and temple lands.

It is submitted that Sri A.S.R. Raju and B.N. Ramesh at the time of forming the ghat road unauthorizedly they have made blasting and conducting nuisance cause the damage to the temple and its path way while adversely affecting the surroundings. In this issue it is necessary to find out in respect of the damage of path way caused by them or licensed leaseholders, but though the concerned authorities have got knowledge about the laying of the road unauthorizedly and the petitions are in pending before them with regard to conducting of blasting by the Alluri Seetharama Raju, the said issue bypassed by the responsible officers.

In view of the above facts and circumstances it is clearly evidenced that the above said Alluri Seetharama Raju and B.N. Ramesh colluded with the concerned authorities have committed so many irregularities and illegalities and encroached the government property. Therefore we are requesting this Hon'ble Authority may be pleased to initiate the enquiry in the above subject matter and take appropriate action with regard to disciplinary action, recovery of the amount, and to file criminal case against the culprits including the public servants who are colluded with them.



Yours faithfully



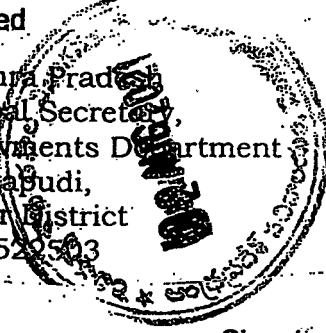


P-2 25

## ACKNOWLEDGEMENT

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Received ..... Letter / Packet/ Parcel  
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4. The State of Andhra Pradesh  
Rep by its Principal Secretary,  
Revenue & Endowments Department  
Secretariat, Velagapudi,  
Amaravati Guntur District  
Andhra Pradesh-522503

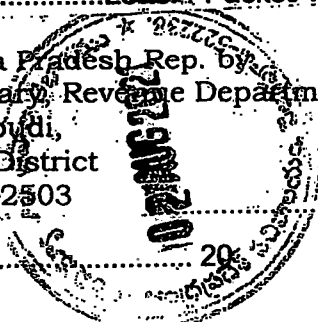


Signature of Addressee

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Andhra Pradesh-522503



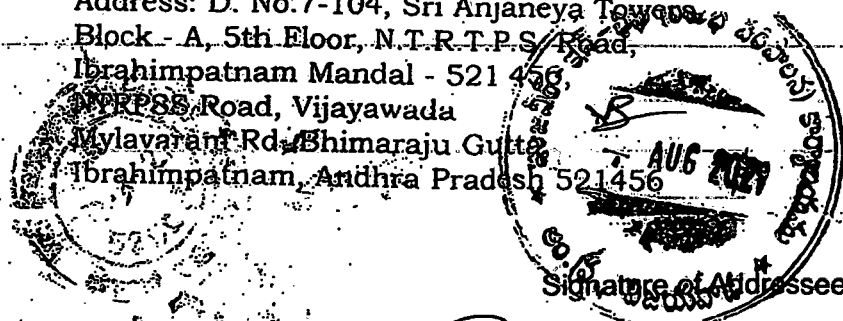
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Block - A, 5th Floor, N.T.R.T.P.S. Road,  
Ibrahimpatnam Mandal - 521 456,  
M.P.P.S. Road, Vijayawada  
Mylavarant Rd, Bhimaraju Gupta  
Ibrahimpatnam, Andhra Pradesh 521456

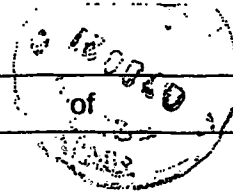


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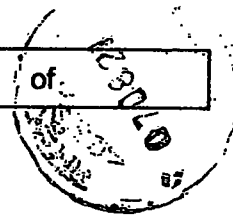
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 Pin ..... Prakasam (dist)-523301

Signature of Addressee

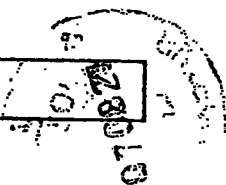
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 Pin ..... Prakasam (dist)-523301

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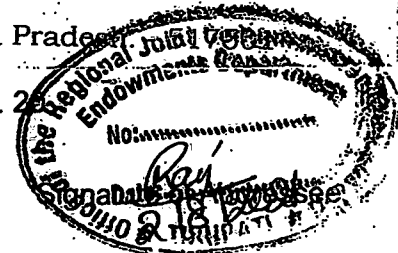
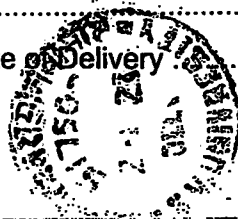
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## ACKNOWLEDGEMENT

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19. The Regional Joint Commissioner  
Endowments Department  
Tirupathi, State of Andhra Pradesh

Date of Delivery .....

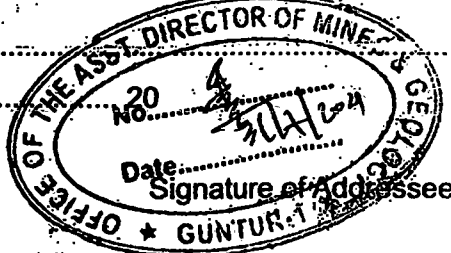
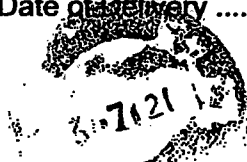


## ACKNOWLEDGEMENT

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8. Assistant Director of Mines and Geology,  
House No.5-76-22, 4th Lane, Pandarai Puram,  
Guntur - 522002.

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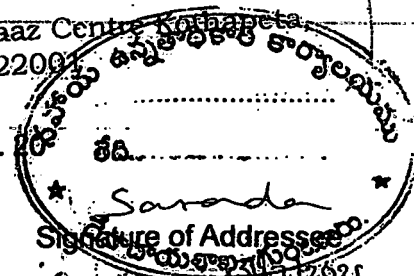
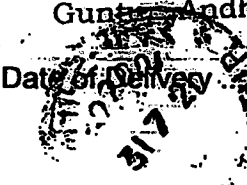


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20. The Assistant Commissioner  
Endowments Department Naaz Centre, Kothapeta  
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Signature of Addressee

No.	Dated	of
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Signature of Addressee

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Signature of Addressee

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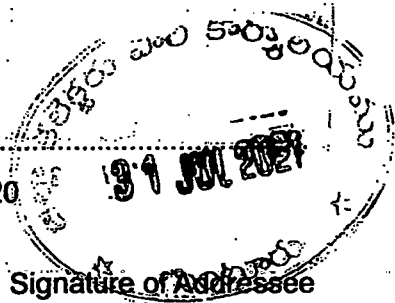
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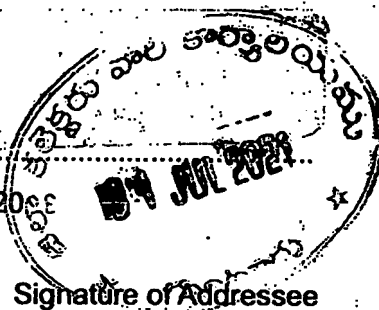
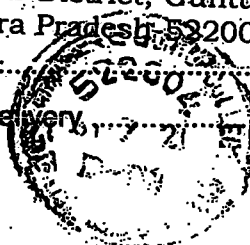
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14. The Joint Collector,  
 Guntur District, Guntur  
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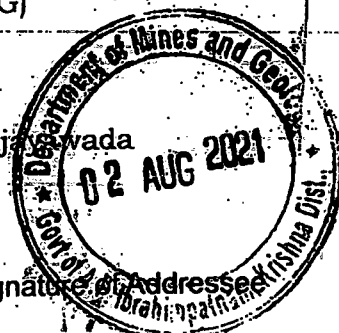
6. Director of Mines and geology, (DMG)  
 Department of Mines and Geology,  
 Sri Anjaneya Towers,  
 D.No. 7-104, B-Bock,  
 5th & 6th floors, Ibrahimpatnam, Vijayawada  
 Andhra Pradesh - 521456.

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Signature of Addressee



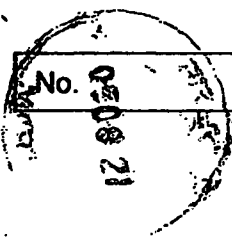
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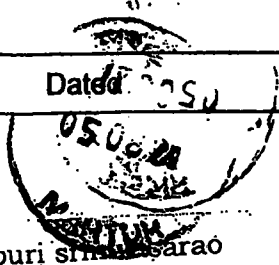


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..... Popuri srinivasarao  
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Signature of Addressee

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..... Door No 14-49  
..... Martur (mandal&village)  
..... Prakasam (dist)-523301  
Pin .....

*[Handwritten Signature]*

Signature of Addressee

31

## ACKNOWLEDGEMENT

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2. The State of Andhra Pradesh  
Rep by its Principal Secretary Industries and  
Commerce Mines Department  
Block III Velagapudi AP Secretariat  
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Andhra Pradesh-522503

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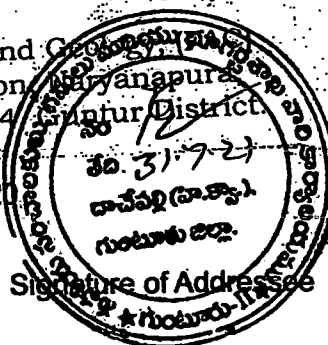
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9. Assistant Director of Mines and Geology  
Address : Near Railway Station, Narayanapuram  
Nadikudi, Dachepalli -522414, Guntur District

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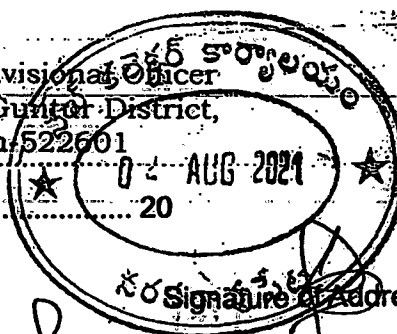
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- A 15. The Revenue Divisional Officer  
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Andhra Pradesh-522601

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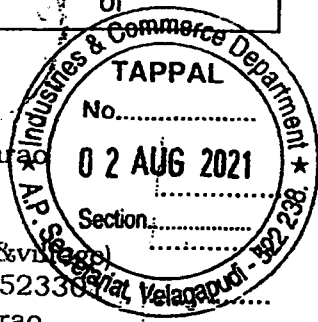
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32

No. \_\_\_\_\_ Dated \_\_\_\_\_ of \_\_\_\_\_

Sender's Address

Popuri srinivasarao  
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Door No 14-49  
Martur (mandal&village)  
Prakasam (dist)-523301  
Popuri srinivasarao



Pin \_\_\_\_\_

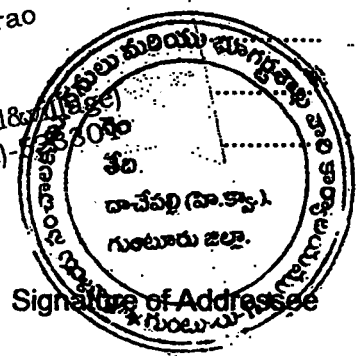
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Sender's Address

Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal&village)  
Prakasam (dist)-523301

Pin \_\_\_\_\_



Signature of Addressee

No. \_\_\_\_\_ Dated \_\_\_\_\_ of \_\_\_\_\_

Sender's Address

Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal&village)  
Prakasam (dist)-523301

Pin \_\_\_\_\_

Signature of Addressee

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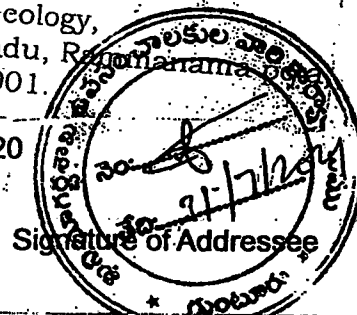
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## ACKNOWLEDGEMENT

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7. Deputy Director of Mines and Geology,  
O/o D.No. 4-2-5B, 1/1, Koretipadu, Rayamancha  
Guntur, Andhra Pradesh - 522001.

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16. The Tahasildar, chilakalurupet Mandal,  
Guntur District, Guntur, A.P - 522616

Date of Delivery ..... 20

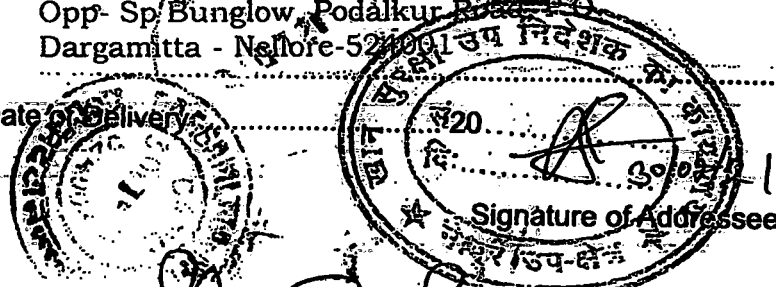
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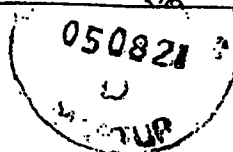
11. Dy. Director of Mines Safety  
Opp- Sp Bungalow, Podalkur Road, P.O.  
Dargamitta - Nellore-524001

Date of Delivery ..... 20



34

No.	Dated	of
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Sender's Address

Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal&village)  
Prakasam (dist)-523301

Pin

Signature of Addressee

No.	Dated	of
-----	-------	----

Sender's Address

Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal&village)  
Prakasam (dist)-523301

Pin

Signature of Addressee

No.	Dated	of
-----	-------	----

Sender's Address

Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal&village)  
Prakasam (dist)-523301

Pin

Signature of Addressee

35

# ACKNOWLEDGEMENT



Registered  
Received ..... Letter / Packet / Parcel  
Insured

12. Director of Mines Safety & SO  
Room No.: 701, 7th Floor, Cgo Tower  
Old Pra Gato Ols Premises, Kavadiguda,  
Secunderabad, Hyderabad Telangana Pin-500080

Date of Delivery ..... 20

Signature of Addressee

# ACKNOWLEDGEMENT

Registered No.  
Received ..... Letter / Packet / Parcel  
Insured

21. The Executive Officer  
Sri Venkateswara Swamy Temple Boppudi- 522626

Date of Delivery ..... 20

Signature of Addressee

*[Handwritten signature]*

36

No.	Dated	of
-----	-------	----

Sender's Address Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal & village)  
Prakasam (dist)-523301  
Pin

Signature of Addressee

No.	Dated	of
-----	-------	----

TO  
Sender's Address Popuri srinivasarao  
s/o Hanumaiah  
Door No 14-49  
Martur (mandal & village)  
Prakasam (dist)-523301  
Pin



X M. Nagababu

Signature of Addressee  
06-8-21

*[Handwritten signature]*

P-3 37 T144  
\*\*\*\*\*  
**B.SreeRamachandra Murthy**

**Mobile: +91 95817 76707**

**Email: rboppudy@gmail.com**

Founder Trustee, Sri Venkateswara, Sri Malleswara & Sri Chennakesava Swamy Temples  
Endowments Dept. Govt of A.P. Boppudi (Village), Guntur Dt A.P.  
Joint Secretary, AP Founder Family Members Association Coastal Zone.  
Joint Secretary, Santhinikethan Kala Parishad Boppudi (Regd Trust)  
Secretary, Sri Venkateswara Seva Samithi Boppudi (Regd Trust)  
President Kameswary Towers Owners & Residents Welfare Society, KPHB  
National Research Co-Ordinator: Energy Security For India Programme.

**Previously Positions Held:**

Former Experts Committee Member, Tirumala Tirupathi Devasthanams (TTD)  
Former High Level Committee Member, Govt Of Karnataka  
Former Member National Manuscripts Mission, Govt Of India  
Former D.M.A. Indian Human Rights Association (Accredited to United Nations)  
Former Secretary Chattisgarh State APH Society (to Accredited UNCHS Kenya)  
Former Adviser, Oriental Research Institutes  
Former Editorial Board Member, Vyavastapaka Vani, Fortnightly Magazine,

From: LR No SVMCST/FTO/214/43 Dated 25-1-2017  
The Office of The Founder Trustee,  
Sri Venkateswara Swamy Temple, Sri Malleswara Swamy Temple, and Sri Chennakesava Swamy Temples,  
Endowments Department. Govt of A.P. Boppudy (Village), Chilakaluripet Mandal, Guntur Dt A.P. - 522616  
To,

Respected Sir,

Sub: Petitions received against Dr. B. N. Ramesh IPS ADGP West Bengal, Mr. ASR Raju, & Others  
from Sri Ambedkar ji Mohan Ji Justice Forum, AP State Capital, and further  
Submitting Report of this office on those petitions and requesting appropriate action in accordance  
with Law in the interest of Govt, Public and public institutions.  
Requesting the cancellation of appointment of BN Ramesh as Founder Trustee and also to instruct  
officials to file appropriate criminal cases against him in this connection Reg

Ref:-- 1. AP/GNTR/111/2016/C-FT 01 to 07 from AIAJMJF (7 pages enclosed along with this letter)

**Index of the report.**

1. About Me and My Official Position in forwarding the petitions
2. Allegations made by Petitioners
3. Competent Authority and Law Position
4. Violation of Law by Persons mentioned in the petitions
5. Criminal Activities & their Nature mentioned in the complaint
6. Detailed analysis
7. Conclusion & Suggested actions

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## 1. About Me and My Official Position in forwarding the petitions

As per the Supreme Court Judgment, I was appointed as the Founder Trustee for the above mentioned temples in the year 1997 onwards, and I am discharging my duties and functions in the interest of the subject temples. I am public servant as per the Endowments Act, AP.

I am successfully developing the Temple. Some of the achievements during my Trusteeship:

- The income of the Temples raised from Rs 4800/- to Rs. 100000/- per annum.
  - As I have legally protected the Assets of the Temples, the worth of Assets increased from few Lakhs of Rupees to current market value exceeding Rs 100 Crores.
  - The Temple activities grown and more than 15,000 devotees visiting the Temples during festive seasons.
  - I also conducted Sapthaham (7 days X 24 hours Bhajana) in Tirumala with permission from Tirumala Tirupathi Devasthanams (TTD) under the Banner of the above said Boppudi Temples. I am an inspiration for TTD to start Akhanda Bhajan Programme.
  - Based on my representations The Hon'ble Endowments Commissioner Sri S.M. Bala Subramanyam Garu, IAS issued statewide Circular banning alienation of any Temple Lands. In a Historical way A great G.O. in the history of protecting Hindu Temples lands
- At present, I am the Founder Trustee of above Temples, with Executive Officer under the Administrative control of me, and Asst Commissioner Endowments Department, Guntur. Apart from both of us no other persons having administrative control over the Temples.

As per Law and GAD norms, I am answering from my side to this petition as per the hands on information available in this office at this time. Wherever any information not available in this office, you are suggested to approach competent authority. I also submit detailed report after obtaining relevant information from the concerned authorities.

## 2. Allegations Made by Petitioners

The following are exact allegations made by Petitioners in Petitions:

- One by name Mr. ASR Raju, aged about 46 years, s/o VenkataRamaRaju, R/o, Hyderabad is He is doing treasure hunt in the Boppudi hills where he got a gold worth of some crores. To officialize and to intensify his efforts he approached some politicians and some police, Govt officers. He sugar coated entire matter by telling Construction of Ghat Road to Sri Venkateswara Swamy Temple Boppudi.
- The ASR Raju gathered many donations using this thirmanam. (Resolution)
- This is a dangerous road that can kill thousands of devotees if opened for Public. Police officers fell down on this road and stopped travel on this Road. But they never made enquiry into the above said matters.
- ✓ His Ghat Road is Based on The Thirmanam made by Gram Panchayath. This thirmanam is Illegal and Against provisions of the Panchayath Raj Act & Rules
- ✓ He got Permission and NOC from the Executive Officer of the Temples. This permission is not legal and against the Provisions of the Endowments Act and against the Norms for laying Ghat Road.
- The Asst Commissioner Endowments Department written a letter By RC no B1/8591/2013 which is not legally stands any provisions of Endowments Act because a mining land cannot be given to Endowments, Mining Act never allows that.

7. Mr BN Ramesh IPS Addl DGP West Bengal opened this road in secret and he kept a shilaphalakam in the Temple showing the same. which is not legally supported any provisions of Endowments Act
8. He threatened The president of The Village in the name of Prime Minister Modi.
9. He Has his own protocol which is against the Provisions Constitution of India and Against the Provisions and applicable laws of Endowments Dept and Gov of Adhrapradesh.
10. On the thirmanam day gram Sabha was never held and this thirmanam is illegal and fake and made with forged signatures. Most of the signatures on the thirmanam are false and forged. According to the ward members of the said Gram Panchayath they never attended the so called Meeting held for passing such thirmanam and they don't know an iota of the thirmanam empowering to lay ghat road for the benefit of the devotees.
11. Further, there is no old passage through MangammaKunta as mentioned in the said Thirmanam.
12. This is a false statement. The whole affair is made to benefit ASR Raju and to facilitate him wrongful gains and to give cover-up to his suspicious illegal activities.
13. In petition FT08 it was mentioned that He prepared a petition etc and changed middle papers after signs by villagers where B. Anantha Rao is eye witness.
14. he and his friend Mr B Ramakrishna (friend of Both BN Ramesh IPS and ASR Raju) filed so many petitions against Temple trustee and criminal cases against pujaries.
15. If the pujaries left the temples BN Ramesh IPS and ASR Raju, Mr B Ramakrishna are responsible.
16. Officers have not properly enquired the false petitions
17. Mr BN Ramesh Violated IPS officers code of conduct by using his official stamp
18. In FT01 it was alleged that The Executive officer refused to give the copy of the permission letter under heavy bribes
19. ASR Raju collected Rs 2 crores and sepnt only 68 lakhs
20. Request to collect all donations and deposit in temple account
21. There is no engg plan,
22. No Safety standards
23. No inclinations as per standards
24. ASR Raju interest is different and he wantedly did it beyond provisions of Govt
25. He and his associates violated many govt and constitutional laws
26. Request for criminal case against the above accused-in case of any accident on this road
27. The ASr raju and his above associates B. Baburao, Ramakarishna Ravikumar BN Ramesh IPS are treasure hunters and they are thereatening pujaries
28. They are working together to stop temple activities
29. In petitions FT04 it was alleged that The managammakunta was a small kunta developed using MGNREGS funds, Laying ghat road is damaging Govt property a recovery is required and repair the kunta by removing ghat road
30. Without proper source ASr RAju used tons of explosives
31. This is dangerous road that can kill thousands
32. The thirmanam is illegal
33. The NOC from eo is illegal
34. The asst Comm Endoemts RC no B1/8591 is against mining act
35. BN Ramesh IPS Opening this road is illegal and against endowments act.
36. BN Ramesh IPS threatened the President of the village using the name of Hon'ble Prime minister

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- 40
37. BN Ramesh IPS has own protocol against India
  38. The thirumanam is made with forgery signatures
  39. There is no old passage through Managammakunta
  40. The whole affair is made to benefit ASR Raju
  41. He trespassed mining land
  42. He made blasting and damaged Govt property
  43. He looted granite stones and filled up Rajugari cheruvu
  44. He trespassed the leased out area of Lease holders
  45. He threatened and filed false cases against mining officers, District collector and lease holders
  46. He filed false case against mr Popuri srinivasarao
  47. He threatened lease holders under the name of BN Ramesh IPS
  48. This road cannot be claimed by temple
  49. The road is not owned by the temple

### 3. Competent authorities and Law Position

The total of 49 allegations were made by the petitioner in various petitions from FT 01-08.(FT-03 is not received by this office)

It is my opinion that no person alone can do such manipulation and criminal activities as alleged unless there is some strong hidden agenda with open/hidden support for them from highly influenced and ranked persons with political and money power.

It is my duty to safe guard the Temples. I am doing my duty and I am expecting Justice from you.  
As part of my Duty, I am forwarding the Petitions to take appropriate action by you. I request you, you as a sincere and dutiful officer, and who works in accordance with law, please protect the interests of these very ancient Hindu Temples.

Many departments were got involved in this affair. And every depar has some role to do in this connection and subject matter.

### 3. Violation of Law by Persons mentioned in the petitions

Voilation of the law by private persons and Govt officers happened here. This attracts Civil criminal measures against the Private persons and same along with Departmental disciplinary actions and enquiry by Anti Corruption Departments are very much required in this connection. This office is submitting facts on record in subsequent pages.

### 4. Criminal Activities & their Nature mentioned in the complaint

The allegations from 1,8,9,10,13,14,27,29,30,38,43,44,45,46,47 are criminal offenses as well as liability to take disciplinary action.

### 5. Detailed history and facts

Details from this office are submitted here

There was a news scrolling on the news channels on 17-7-2010 that the Ghat road to Sri Venkateswara Swamy Temple is being opened. By that time only a kutchra road partially developed in mining land.

I immediately enquired my higher officers about this as my application for laying of the Ghat road by R&B department is pending before Govt.

My application was already recommended by the Local MLA, and waiting for budget sanction and engg plan etc.

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The Commissioner Endowments Department saw the scrolling and also called for enquiry into the matter. As per the higher officers guidelines I made a complaint before the Mandal Revenue Officer (Present Tahsildar) Ch. pet and also before the CI of Police on 20-7-2010.

The Tahsildar is the competent authority for the issues related to the Mining land matters. He told me that he informed Mr ASR Raju to stop this activity. And he instructed the CI of police to personally visit the site and take necessary action.

The police vehicles rolled back on this road luckily missed accident and The CI instructed Mr ASR Raju to remove this road under instructions from the M.R.O.

I also informed Mr ASR Raju that this office will take necessary civil & Criminal actions if he tress pass the Temple land and try to lay the Road without Govt permission.

I told him to deposit the amount in Temple bank account and I will forward his application for necessary permissions from Govt and the Our Endowments Engg dept will construct the road with co-ordination from other Govt departments by calling open tender as per Dept norms.

I also informed the Competent authority The Asst Commissioner Endowments Department about this illegal activity. I mentioned That a Ghat road as per law and laying road as per Govt norms is required for this Temple. And also I made a detailed report that this road is a criminal activity by ASR Raju and he is trespassing the Govt property and violating so many Govt norms.

I also obtained information under RTI act from various departments and it is very clear that the above persons namely ASR Raju, and BN Ramesh IPS doesn't has any permissions from Govt for the said road laying and remaining activities like Erecting shilaphalakam. All these activities are illegal.

The Executive Officer of the Boppudi Temples confirmed that he has not given any permission for road opening and also for shilaphalakam. And he told me that previous EO ( who retired ) given a letter beyond norms of the Dept.

**Facts on Record:**

1. Letter addressed to MRO, CI of Police for public safety
2. News cutting on ban of the Road
3. The district collector informing no permissions for this road
4. The Asst Director mining informing no permissions for this road
5. Road Safety authority, R&B, PCB, etc they have no information about this road.
6. ASR Raju application dt 5-11-2015 before Secretary Mines confirming the road is dangerous.
7. Guidelines by Various State & Central Govt departments references enclosed.

This office making it clear that

There is no department competent to accord permission for this ASR Ghat Road.

This Office and Temples are no way connected to Mining activity of Boppudi village..

Mr ASR Raju along with the help and support of Mr BN Ramesh made huge numbers of power full blasting's very near to the Temples without approval and required permissions from the Mines safety authority DGMS and Endowments Dept Engg wing. If any loss occurs to Temples that is only because of these two peoples only.

The above both people dragging the Temple into unnecessary litigations by linking Temple affairs with mining affairs without any authorization and permission from this office.

It is very clear that the laying of the Ghat Road and opening of the Ghat road is a crime in the eyes of law and the said road is dangerous.

Any major mass gathering on hill top will attract catastrophe which will be a permanent bad mark on the face of this Temple.

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## 7. Conclusion & Suggested Actions

I am requesting the Hon'ble Minister for cancellation of appointment of BN Ramesh as Founder Trustee and also to instruct officials to file appropriate criminal cases against him in this connection and to instruct the Chief Secretary to constitute a committee comprising heads of the Departments connected to make an enquiry to avoid multiple opinions. The list of departments connected to this matter to my best of knowledge is also written in this letter.

This road is against the interests of the Temple but it is being projected exactly opposite to gain various personal benefits by a group of people. Otherwise they go by law and co-operated this office in a lawful manner.

Hence I am requesting you to kindly conduct an enquiry into all the matters and to take action as per law and inform me about the action taken by you.

Mr ASR Raju trespassed & destroyed Govt lands, Mr ASR Raju & Mr BN Ramesh trespassed and destroyed Temple properties With the help of many others.

They also violated Indian Road Congress guidelines, Supreme court Guidelines on Road Safety, Road Safety policy of Govt of India, AP state R&B norms for roads, Quality norms of Rural Roads by Govt of India. And also Endowments Dept norms for this activity.

I am requesting you to take appropriate Departmental action, Civil & Criminal measures as per the Dept norms.

Yours truly,

*B. Sree Rama Chandra Murthy*

(B.Sree Rama Chandra Murthy)  
Founder Trustee.

Copy to: please refer to the list of concerned departments.

References: See list below.

1. Petitions filed by Ambedkarji Mohanji Justice Forum.
2. The Mining Asst Director Guntur answers for application under RTI.
3. The Letter addressed to The Tahsildar for stopping this Road.
4. News Cutting on ban of this road.
5. The District Collector Guntur answers for application under RTI ACT.
6. The other Dept answers over Phone
7. Indian Road Congress Guidelines
8. Indian Road Safety Policy by Ministry of Road Transport & National Highways
9. Supreme court serious concerns over Road safety in writ petition
10. R&B Norms for laying the Roads
11. Quality assurance norms for rural roads Ministry of Rural Development Govt of India

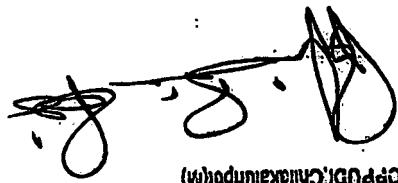
list of concerned departments

1. A.P. Endowments Dept
2. A.P. Revenue Department
3. A.P. Mining Dept
4. Mining Dept Mines Safety DGMS
5. AP Road Transport Department & R&B Dept
6. AP Chief Secretary
7. AP Road Safety Authority
8. MGNREGS rep by Gram panchayath
9. Pachayath Raj Department.
10. Ministry Of rural Development
11. Ministry of Road Transport & National High ways
12. PM Office
13. Chief Secretary West Bengal.
14. Dept of Personal & Training, New Delhi

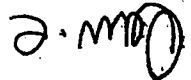
Copy sent to (See next page for the List.)

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*[Handwritten signature]*



Panchayat Secretary  
GRAM PANCHAYAT  
Goppudi, Chittoor District (M)



// అనుకు నిలిచిన నకలు //

(సం//1) శ్రీ సోమలూరి రామంట్ల  
సర్పంచి  
బొమ్మడి గ్రామ పంచాయతీ

తీర్మానము 4 : పై విషయమును అమోదింపుతూ తీర్మానించడ మైనది

విషయము 4 : చిలకలూరిపేట మండలం బొమ్మడి గ్రామ పంచాయతీ లోని  
గ్రామస్థుల కోరిక మేరకు కొండ మీద ఉన్న బువంటి వెంకటేశ్వర  
స్వామి దేవాలయంనుకు పూర్వమున్న బాటను ముంగియై కుంట  
మీదుగా రెండు కొండల మధ్యనున్న లోడి లో నుండి గుడి వద్దకు  
వారిని శ్రీ ఆలూరి సుబ్బరాజు చూడ రోడ్డుగా అభివృద్ధి పరచుటకు  
నిర్ణయించుట గురించి

అతిగాన సాధారణ సమావేశపు చర్యలు.  
పంచాయతీ కార్యాలయంలో గ్రామ సర్పంచి శ్రీ సోమలూరి రామంట్ల గారి అధ్యక్షతన  
0.15-07-2008 న 10.30 గం.లకు చిలకలూరిపేట మండలం బొమ్మడి గ్రామ

సాధారణ సమావేశము

By 43

44

//TRUE TRANSLATION//

PROCEEDINGS OF THE GENERAL BODY MEETING

Date: 15-07-2008

Time: 10:30 AM

The proceedings of the general body meeting held on 15-07-2008 at 10:30 AM at the Boppudi Gram Panchayat Office, Chilakaluripet Mandal, under the chairmanship of Village Sarpanch Sri Satuluri Rambantlu.

Information No. 4: The villagers of Boppudi Gram Panchayat, Chilakaluripet Mandal, have requested the development of a pathway to the Venkateswara Swamy temple located on a hill. The proposed pathway will pass through Mangamma Kunta and Loddi, located between two hills, and will be developed as Sri Alluri Subbaraju Ghat Road.

Resolution 4: The above matter is hereby approved and resolved.

Sri Sathuluri Rambantlu,

Sarpanch,

Boppudi Gram Panchayati.



P-5 45

Panchayath Secretary,  
Gram Panchayath Boppudi,

N.Hanumantha Rao  
2-86,10<sup>th</sup> Lane,Pandari  
Puram, Chilakaluripet,  
Guntur Dist  
Pin 522616, A.P.

Rti Act -Information submitted -Reg

Ref:--Your RTI Act information letter Dated 7-04-2017

Sir,

With Ref to your RTI Act letter I am here with enclosing the para number wise information.

1. Gram panchayath made a resolution to develop the ghat road on 15-07-2008 in the name of Alluri SubbaRaju, but Gram panchayath not given any permission to Mr Alluri Sitha Rama Raju So/Venkatrama Raju for laying of the Ghat road.
2. As per gram panchayath records there is no approved donor for this Ghat Road.
3. Budget was not sanctioned by any authority or by gram panchayath for Alluri Subbaraju Ghat road.
4. The proposed Alluri Subbaraju Ghat road is going through Temple & Mining lands.

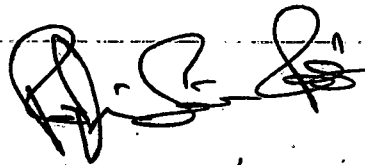
Date: 7/4/17.

Yours Truly



K.Kranthikar

Panchayat Secretary  
GRAM PANCHAYAT  
BOPPUDI, Chilakaluripet



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**By Regd. Post with Ack. Due:**

**GOVERNMENT OF ANDHRA PRADESH  
ROADS & BUILDINGS DEPARTMENT**

From  
Sri J. V. Koteswara Rao,  
Executive Engineer,  
(R&B) Division : Narasaraopet

To  
Sri Narne Hanumantha Rao,  
D.No.2-86, 10<sup>th</sup> Lane,  
Pandaripuram,  
Chilakaluripet-522616.  
Guntur District

**Lr.No.06/RTI/NRT/Boppudi Hills/EC1/2016-17, Dated: 01-06-2017**

Sir,

Sub: - Right to Information Act, 2005 - R&B Division,  
Narasaraopet - information on formation/laying/  
permission/approval to Alluru Subbaraju Ghat Road -  
Reg.

Ref:- 1)Application of Sri N. Hanumantha Rao,  
Chilakaluripet Dated:18-05-2017 received in this office  
on 22-05-17.  
2)Lr.No.DEE/NRT/RTI/Boppudi Hills/2017,Dt.29-05-  
2017 of Deputy Executive Engineer (R&B)Narasaraopet.

###

With reference to the 1<sup>st</sup> cited above, it is to inform that no permission was  
given to Mr. A.S.R. Raju for formation of ghat road to Sri Venkateswara Swamy Temple,  
Situated at Boppudi Hills by the (R&B) Division, Narasaraopet.

**The address of First Appellate authority of (R&B) Division, Narasaraopet.**

Sri J.V. Koteswara Rao,  
Executive Engineer (R&B),  
(R&B) Division Office,  
Prakash Nagar,  
Narasaraopet  
Guntur District.

Yours faithfully,

*JK Rao* 1/6/17

Executive Engineer  
(R&B) Division : Narasaraopet

*The  
01/06/17  
EC1*

*[Handwritten signature]*

P 47

GOVERNMENT OF ANDHRA PRADESH  
INDUSTRIES AND COMMERCE (MINES.I) DEPARTMENT



Memo.No.3655/M.I(2)/2017-

Dated:12.12.2018

Sub:- Revisions -Revision Application filed by M/s. Surya Teja Exports Guntur District, against the D.Dis.Proceeding No. 7467/R3-3/2015-6 Dt.15.02.2017 of the Director of Mines & Geology, Ibrahimpatnam- Revision disposed off - Orders - Issued.

Ref:-1.From M/s. Surya Teja Exports Guntur District, Revision Application dated: 21.03.2017.  
2.Government Memo No. 3655/MI(2)/2017, dt 21.04.2017 & 12.07.2017  
3.From the Director of Mines & Geology, Ibrahimpatnam, Letter No.12466/R3-3/2017, Dated:07.08.2017

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85  
12/12/18  
The Director of Mines & Geology, Ibrahimpatnam has cancelled the quarry lease for Black Granite held by M/s Surya Teja Exports, over an extent of 2.270 Hectares in Sy.No.324/Part of Boppudi Village, Chilakaluripeta Mandal, Guntur District vide D.Dis. Proceedings No.7467/R3-3/2015-6, dt:15.02.2017 on the basis of recommendations of joint inspection team which clearly point to the fact that any continuance of mining activity in the subject area would damage the temple, temple precincts, pathways to the temple and adversely affect the habitation in the vicinity and also in obedience to the Hon'ble Supreme Court's judgment dated 12.12.2003 in SLP Nos 1907 & 1908 of 2000 as the lease was granted under a mistake of fact.

2. Aggrieved by the above Proceedings, M/s Surya Teja Exports, Guntur District has filed a Revision Application before the Government on 22.03.2017 on the following grounds:

- I. The impugned order of the Director of Mines & Geology, vide proceedings D.Dis.Proceedings No.7467/R3-3/2015-6 dated 15/02/2017 is arbitrary, illegal and nonest in the eye of law and also contrary to the Article 21 and 300A of the Constitution of India.
- II. The impugned order of the Director of Mines & Geology, Ibrahimpatnam vide proceedings D.Dis.Proceedings No. 7467/R3-3/2015-6 dated 15/02/2017 is contrary to the order of direction passed in common order in writ petition no.22027 and 30220 of 2014 dated 30/10/2014 of the Hon'ble High Court for the State of Telangana and the State of Andhra Pradesh and also contrary to the Rule 11 of the A.P. Minor Mineral Concession Rules, 1966, The Metalliferous Mines Regulations, 1961 and the M.M. (D&R) Act, 1957.
- III. The Director of Mines & Geology ought to have seen that the counter filed by the Mining and Geology Department in W.P. No. 22027 of 2014 and the reports of the Scientist, NIRM., Bangalore, Deputy Director, Mines and Safety, Nellore, Mines and Geology, and the same are totally ignored and passed the above said proceedings is illegal, contrary to the directions of the Hon'ble High Court passed in Writ Petition No.22027 and 30220 of 2014.
- IV. The Director of Mines & Geology has taken the decision for cancellation of lease rights of the petitioner is nothing but abduction of his duties which are conferred on them to discharge their functions without any favour, or fear and bias and they should act as per law and directions of the Hon'ble High Court in a free and fair manner. But in this case the DM&G yielded to the pressure laid by the Sri Alluri Seetharama Raju, and one B.N. Ramesh, Additional D.G.P., West Bengal, who is a native of Boppudi Village, and cancelled the leasehold rights of the petitioner while ignoring the all relevant records.

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- V. The Director of Mines & Geology ought to have seen that the findings of expert of National Institute of Rock Mechanics, Bangalore, the findings and recommendations of it pursuant to that test was mentioned in the impugned order itself which reads that (1) the maximum vibration recorded during the blasts at the temple is much lower than the permissible limit, (2) the air over pressure recorded during the joint inspection is also well within the permissible limit and (3) the fly rock was within lease boundary and the recommendations of it is that a comprehensive scientific blast vibration study if conducted to establish the site specific predictor equation shall assist in computing the permissible maximum charge per delay as per DGMS standards.
- VI. The Director of Mines & Geology failed to see that there is neither allegation nor proof that any damage was caused to the temple structure and humans due to the mining operations admittedly being carried out for the last several years and further there was no enquiry and report of any competent authority that the mining therein is causing any damage, or would cause any damage to life and limb of people or temple structures and as such cancellation of lease rights is without any basis, unjust, illegal and result of complete non-application of mind.
- VII. The order of the Director of Mines & Geology dated 15/02/2017 is in gross violation of the rules under A.P. Minor Minerals Concession Rules and Mines & Mineral Development and Regulations Act, 1957 and also contrary to the proceedings of the lease order and lease agreement and work order issued by the respondents and further the DM&G is not a competent authority to cancel the leasehold rights of the petitioner and also violation of the principles of natural justice.
- VIII. In pursuant to the representation dated 07/11/2014 of Sri Alluri Seetharama Raju @ Rambabu, many authorities from the Department of Mines and Geology, Revenue Department, Endowments Department, and a Scientist from NRI, Bangalore have inspected the leasehold areas at question on 23/07/2015 and did several tests and declared that the allegations of Sri Alluri Setharama Raju are not correct.
- IX. The Joint Director of Mines & Geology, Vijayawada had issued show cause notice to the petitioner and other leaseholders covered in survey no.354 and 511 of Boppudi Village, without furnishing the documents which have been referred in the show cause notice it must be furnished to the petitioner for giving proper explanation.
- X. The mining operations in quarry leased areas against which Sri Alluri Seetharama Raju has raised mala fide baseless allegations are existing since about 40 years and at no point of time said mining activity has posed any threat either to the Holy Sri Venkateswara Swamy Temple and its structures or to the Boppudi Villagers so far and there was no such incident reported so far. There was no protest from any villager or from any devotee so far against the said mining activities and there is also no request for formation of the Ghat road leading to the Holy Temple.
- XI. The Director of Mines & Geology has failed to see that no quarrying lease was granted in the hill in which the temple is situated and the quarrying leases were granted in the other hills situated to the South-East of that hill. The nature of operations of mining and characteristics of black granite is entirely different to quarry of other mining operations, which is purely free polluted operations towards black granite.
- XII. The respondent failed to give opportunity to the petitioner for hearing of their version after issuing of show cause notice and further the respondent has failed to furnish all the relevant documents, which are mentioned in the show cause notice as well as impugned order and also not call for the any argument, hearing, before issuing the impugned order which is nothing but violation of principles of natural justice, and contrary to the order of the Hon'ble High Court passed in W.P.No. 30220 of 2014, particularly in 4<sup>th</sup> Para.

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XIII.

The impugned order passed by the DM&G without assigned reasons supported for cancellation of leasehold rights and the DM&G duty to give reasons is facet of principles of natural justice and it is well settled principle of law is that no order whether administrative, or quasi judicial in nature determining the rights of the parties could be sustained unless same was supported by reasons and further failed to give reasons the facts of the petitioners case and the case of the parties in Supreme Court Judgment are similar and identical.

XIV.

The Director of Mines & Geology and Joint Director of Mines & Geology have suppressed the letter of Asst. Director, Mines and Geology, Guntur, dated 12/09/2016 which was submitted in pursuance of Joint Inspection Committee, and it seems that deliberately, collusion with the said A.S.R. Raju and B.N. Ramesh, that was not taken as a part of record, because the said Asst. Director, Mines and Geology, Guntur, stated that in respect of operations of black granite not caused to endanger to the human habitations and temple and recommended to put certain conditions to the leaseholders of black granite.

XV. The Director of Mines & Geology has failed to call for the report from the competent authority/ Pollution Control Board, and also failed to taken him in the Joint Inspection Committee. In facts of the circumstances the pollution authorities opinion is also very much necessary.

XVI. The Director of Mines & Geology has ought to have seen that while granting the lease in the year 2007 in favour of M/s Black Gold Granite, the Technical Person was came to the subject property and verified the physical position and recommended for grant of lease and further the adjacent leased property was granted in the year 2007 in favour of Smt. Ch.Chenchu Kumari valid upto 08.02.2017. At the time of granting lease in her favour, the Asst. Director of Mines and Geology, Guntur, personally came to the leased property and reported that the applied area is situated at a distance of about 1/2 K.M., South of Boppudi village and covers of a big hillock at a height about 150 feet and falls on the South Eastern slopes of the hillock. Adjacent to the leased hillock, the temple hillock is there. The applied area is a hillock with an elevation of 100 to 150 meters from the ground level. The quarrying operations for extracting black granite mineral in the area are above ground level and the leased area falls on the small hill comprises of sheet rock.

XVII. The Director of Mines & Geology has ought to have seen that the lessees are not parties to the above Supreme Court decision. The judgment is not binding on the petitioner. When a person is not a party that any decision of the Supreme Court, the decision is not binding on him, it only binds the parties concerned. It will not apply to all the leases in India. This point was clearly mentioned by the Supreme Court on AIR 2008 Sc.863 which says Art. 141A decision is precedent on its own facts. Each case presents its own features. It is not everything said by a Judge while giving a judgment that constitutes a judgment only thing is a judge's decision on a party is principle upon which case is decided 1968 Sc.647 relied on Para 12 "disposal of cases by blindly placing reliance on a decision is not proper".

XVIII. The order of the Director of Mines & Geology is very much contrary to the directions of the Hon'ble High Court dated 30/10/2014 In which the Hon'ble High Court has directed the appropriate authority shall give opportunity of hearing to petitioner as well as mining leaseholders and then take appropriate decision in the manner with regard to either continuation or otherwise of the mining leases including placing of appropriate restrictions on the mining leases, If the facts of the case so warrant.

XIX. The Director of Mines & Geology has ought to have seen that the petitioner has not made any blasting with regard to operation of mining. It is needless to say that the petitioner firm without blasting it can be operate through wire saw cutting.

- XX. The Director of Mines & Geology has erred into cancellation of leasehold rights of the petitioner by misreading the orders of the Supreme Court passed in SLP.No.1907-1908 of 2000 dated 12/12/2003. The facts in the Supreme Court Judgment are not applicable to the facts of the petitioners case. The facts of the Supreme Court is that the matter related to the road metal quarries and stone crushers only and the inspection was conducted with regard to impact on blasting leaseholders.
- XXI. The Director of Mines & Geology have ought to have seen that the averments mentioned in the show cause notice are different from the proceedings dated 30/11/2016. In the show cause notice call for the explanation about the observations made in the Supreme Court Judgment only, though it has referred various documents, and failed to mention the reports of the members of the joint inspection, which is nothing but violation of principles of natural justice and the enquiry is not conducted properly.
- XXII. The Director of Mines & Geology have failed to see the representation of founder trustee of the Sri Venkateswara Swamy Temple, to the M.R.O., Chilakaluripeta Rural, Chilakaluripeta, and C.I. of Police, Chilakaluripeta Rural, wherein it has complained that without permission of the authorities Sri Alluri Sestharama Raju has been laying of road and it is caused to not safe to the pilgrims by travelling and requested to stop the laying of road and take action against Sri Alluri Seetharama Raju.
- XXIII. The Director of Mines & Geology have failed to see that the members of the joint inspection committee clearly pointed out with regard to laying of road by Sri Alluri Seetharama Raju, without permission of the concerned authorities! and further failed to see that the Gram Panchayat had not given any permission for laying of road by way of resolution dated 15/07/2008 which is forged one and further though it is a genuine for sake of argument the Gram Panchayat has no power to pass such resolution for laying of road through mining land.
- XXIV. The Director of Mines & Geology have ought to have seen that A.S.R. Raju and B.N. Ramesh at the time of forming the ghat road unauthorizedly they have made blasting and conducting nuisance cause the damage to the temple and its path way while adversely affecting the surroundings.
- XXV. The Director of Mines & Geology have ought to have seen that in the petitioner lease about 50 persons residing in the village and other villages are engaged in stone cutting to yield out livelihood and the land in survey no.324 of Boppudi village and other land in survey No.519 is classified as Konda Porambok and the leases were granted by the mining department for the purpose of mining, which are far away to the temple on the hillock itself at Boppudi village. And further there was no any proof that the property covered in the said hillock of Boppudi village have been allotted to the temple.
- XXVI. The above said impugned order vide proceedings D.Dis.Proceedings No.7467/R3-2015 dated 30/11/2016 was issued before issuing of show cause notice is nothing but the DM&G acted predetermined and continued the same which leads to issued the present impugned order dated 15/02/2017 vide his proceedings D.Dis.Proceedings No.7467/R3-2015 dated 30/11/2016, which is nothing but abdunction of their duties which are conferred on them to discharge their functions without any favour or fear, bias and they should act as per law in a free and fair manner.
- XXVII. The Director of Mines & Geology have passed the impugned order stating that as per the report of the Assistant Director of Mines & Geology, the leases held in the subject area are falling within 500 meters from the temple/habitations which is against to the judgment of the Hon'ble Supreme Court dated 12/12/2003 passed in Mohammed Harson Ansari & Anr Vs. The District Collector, Ranga Reddy District, A.P. and Ors ) and the material on record viz., the technical inputs suggested by the Joint Inspection Team, the

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recommendations of the revenue and the endowments departments, clearly point to the adverse impact of that the quarrying operations would cause on human habitations in the vicinity of the temple and the possible damage to the road way and path way to the temple, that it is apparent that the quarrying operations are a threat to the human habitations and access roads to the temple and that accordingly the JDM&G is directed to initiate action to cancel lease rights by ignoring the rule position and directions of the Hon'ble High Court and recommendations of the experts.

- XXVIII. Further, the Hon'ble Supreme Court Judgment referred above was rendered in the facts and circumstances of that case and it is not a precedent that can be applicable to every mining lease in India. Even otherwise, in this case, enquiry was not initiated or complained on pollution grounds but on alleged damage that may cause due to blasting which is not applicable to the petitioners case.
- XXIX. The Petitioner submitted that as directed by the Hon'ble Court in the aforesaid order passed in W.P.No.22027 of 2014, no notice or opportunity was given to them on the alleged representation dated 07/11/2014 filed by Sri A.S.R.Raju . The objections raised and submissions made by them by attending for personal hearing, particularly that there is no need of blasting for operation of black granite and it is being done through cutting machines was not at all mentioned and considered by the DM&G while passing the impugned order.
- XXX. The DM&G., ought to have considered that quarry leases are granted under the Mines Laws and Environmental Laws by the Government. The MM(D&R) Act, 1957 confers a statutory right to a lease holder to conduct mining operations over the granted leased areas and such activity is also in public interest, since it generates huge revenue to the government and it also facilitates employment and occupation for many for their livelihood. Many families depend on such mining activity for their survival.
- XXXI. The DM&G have failed to see that the Metalliferous Mines Regulations 1961, prescribed the safety measures in respect of public and properties as against the mining operations that has to be carried out under the quarry lease. While Regulation 109 clearly enunciates that a distance of 45 meters have to be maintained in between the working point of mining operations and any public road, railways, public works or buildings or any other permanent structure not belonging to the owner of the mines, Regulation 127 deals with regard to the safety margins to be left to the highways and other village roads.
- XXXII. The allegation of the petitioner that the mining operations are affecting the temple or the habitation appears farfetched one. Neither the petitioner nor the Endowment authorities have been able to allege or establish any single instance where there was any accident or where there was any instance affecting either the temple or the human habitation, though the leases are being worked out for the last 10 years, the documents filed by the Alluri Seetharama Raju petition No.22027 of 2014 that a joint inspection and survey was proposed to be conducted by the Asst. Director of Mines and Geology and for that purpose, he has given appropriate notices to all the lessees as well as information to the Collector and Deputy Director of Mines various dates were fixed for joint inspection and survey, it is admitted that no such joint inspection and survey took place.
- XXXIII. The DM&G have failed to see that as per Regulation 109 of Metalliferous Mines Regulations 1961 "No working shall stopping or extraction or reduction of pillars of blocks conducted of or extended to any point within 45 meters of any railway or any public works in respect of which of any regulation is

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applicable by reason of any reason general (or) special order of the Central Government of any public road (or) building (or) the permanent structure not belonging to the owner of the mine. Without the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein."

- XXXIV. The order dated 30/11/2016 and 15/07/2017 passed by the Director of Mines and Geology, A.P., is not correct. The Director mainly relied on the decision of the Supreme Court, dated 12/12/2003, the said decision relied on the report of a committee which inspected Kokapet village which is 20 Kms., from Hyderabad taking into consideration of G.S.L.R. ground level under reservoir of Hyderabad. The committee also mentioned that Metropolitan water works and sewerage board is located at a distance of 1 Km., from committee took into consideration are they gave a report. So, the facts in the decision of the Supreme Court, dated 12/12/2003 are completely different from the facts on hand at present. The Director reduced mainly on the decision of the Supreme Court and then Deputy Director Mines and Geology, Guntur, to cancelled the leases. The Director came to wrong conclusion relying by misreading of the order of the Supreme Court. The Supreme Court judgment relied on by the Director is not applicable to the facts of the case.
- XXXV. It is now learnt that in the representation dated 07/11/2014 given by the Sri Alluri Seetharama Raju to the Secretary, Dept. of Mines and Geology and to the DM&G., Hyderabad, he has expressed his concern against the mining activity of stone crushing and granite mining within the distance of 40 meters from the aforesaid temple premises. He tried to misled referring to the Judgment passed in Civil Appeal No. 1907-1908 of 2000 of the Hon'ble Supreme Court of India, which has no applicability to the enraged allegations of the Sri Alluri Seetharama Raju. It is learnt that the Managing Fonder Trustee of the Holy Sri Venkateswara Swamy Temple by name Sri V. Sri Ramachandra Murthy has objected the said ghat road, by his letter submitted to the Tahsildar of Chilakaluripeta Mandal on 20/07/2010. The 4<sup>th</sup> respondent i.e ASN Raju is trying to exploit the sentiments of the villagers of Boppudi village for his selfish desires. The devotees and archakas regularly visits the said Holy temple and Sri Alluri Seetharama Raju with ulterior motive wants to create a fear in the minds of public for his selfish desires of exploring the illusory hidden wealth.
- XXXVI. The Revision Applicant prayed that the Minister/ Revisional Authority may be pleased to call for the records relating to and in connection with the impugned order vide proceedings D.Dis.No. 7467/R3-3/2015- 6 dated 15/02/2017 of the Director of Mines and Geology, AP., and declared the same as illegal, arbitrary, and contrary to the principles of law contrary to the High Court common order dated 30/10/2014 passed in WP No. 22020 and 30220 of 2014 and Rule 11 of A.P. Minor Mineral Concession Rules, 1966 and report of the joint inspection committee and consequently set aside the same and pass such other order or orders as this Hon'ble Minister/Revisional Authority may deem fit and proper in the circumstances of the case.
3. The remarks of the DM&G has been called for on the grounds of Revision vide Government Memo No.3655/MI(2)/2017-1, dt 21.04.2017. The Director of Mines & Geology has submitted his remarks vide Procd No.12466/R3-3/2017, dt 07.08.2017 stating that the Director of Mines and Geology, Ibrahimpatnam vide Proceedings No.4321/R3-1/2007, dated.23.02.2007 was granted quarry lease in favour of M/s Black Gold Granites for Black Granite over an extent of 2.270 Hectares in Sy.No.324/P & 513 of Boppudi Village, Chilakaluripet Manual, Guntur District for a period of 20 years. The grantee has executed the lease deed on 07.03.2007 and the lease will be in force upto 06.03.2027. Subsequently, the said lease has been transferred in favour of M/s Surya Teja Exports vide Procds No. 32451/R3-2/2011, dt.29.09.2011 of the Director of Mines and Geology, Hyderabad. The transfer lease

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deed was executed on 31.10.2011 for the unexpired portion of the lease period i.e., upto 06.03.2027.

4. Further, the Assistant Director of Mines and Geology, Guntur reported that, as the matter stood so, the Gram Panchayath, Boppudi has made resolution for cancellation of all the existing leases in Sy.Nos.324, 511, 268, 513 and 17 of Boppudi Village. Further, Sri A.Seetharama Raju of Boppudi Village made representations for cancellation of the said leases in Sy.No.324 & 513 of Boppudi Village, in view of the safety of the Holy Temple of Lord Venkateswara and allied structures and also in the safety of the property and lives of the Villagers. Sri A.Seetha Rama Raju filed W.P.No.22027/2014 before the Hon'ble High Court for cancellation of the leases and for Immediate stoppage of quarry operations. The Hon'ble High court on 02.08.2014, made the following order:

"Prima facie, the mining activity permitted by the 4<sup>th</sup> Respondent i.e., the Asst. Director of Mines & Geology, Guntur is putting at risk the structures of the temple, as well as the live of the devotees who visit the temple.

Therefore there Shall be interim direction as prayed for."

5. Accordingly, the Asst. Director of Mines and Geology, Guntur vide Lr.No.3070/Q/2011, dated.03.09.2014 directed all the lease holders to stop quarrying operations with immediate effect and accordingly, the operations have been stopped. However the Hon'ble High Court vide Judgment dated 30.10.2014 disposed W.P. No.22027/2014 and 30220/2014 and made the following order :

- A. Petitioner as well as Assistant Commissioner of Endowments , Guntur shall be at liberty to make appropriate a Government of A.P., through its Secretary, Mines and Geology Department or the Director of Mines and Geology in terms of Rule 11 of the rules, referred to above.
- B. If such an application is made, the appropriate authorities shall issue notices to the mining lease holders giving them opportunity to respond.
- C. The appropriate authority shall also call for report from any of the authorities concerned it deems necessary including calling for a report by directing joint inspection and survey of the lands where leases are granted as well as where the temple and habitation exists.
- D. The appropriate authority shall give opportunity of hearing to petitioner as well as mining lease holders and then take appropriate decision in the matter with regard to either continuation or otherwise of the mining leases including placing of appropriate restrictions on the mining leases, if the facts of the case so warrant.

6. The Hon'ble High Court also vacated the stay orders dated 20.08.2014 and as such the lease holder[s] have started the quarrying operations in their respective leases.

7. The Director of Mines & Geology, Hyderabad vide No. 7467/R2-3/2015, dated 20.04.2015 while quoting the representation dated 07.11.2014 of Sri A.Seetharama Raju, the petitioner in W.P.No.22027/2014 and 30220/2014, directed the Asst. Director of Mines and Geology, Guntur to furnish specific recommendations on the leases held in the subject area and also to furnish the combined sketch duly showing the temple and distance of each existing lease in the subject area. The Technical staff of the Asst. Director of Mines and Geology, Guntur have been got verified on 06.09.2014 all the existing quarry leases and according to their report, all the existing leases are far away from the temple to a distance ranging from 200 mtrs. to 500 mtrs.

8. Further, the Director of Mines & Geology has requested for inspection and blasting test in the subject area on 23.07.2015 to assess the impact of blasting operations on the temple and to take necessary action as per the orders dated

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30.11.2014 of the Hon'ble High Court and also the Director of Mines & Geology, Hyderabad vide Procs. No. 7467/R2-3/2015, dated 13.07.2015 issued orders prohibiting quarry operations in all the (13) leases existing in Boppudi village till the completion of joint inspection and its outcome.

9. Accordingly, a joint test blast was conducted on 23.07.2015 under the supervision of Joint Director of Mines & Geology with the team of officials i.e., Scientist, NIRM, Bangalore, Deputy Director of Mines Safety, Nellore, Deputy Commissioner, Endowment Department, Guntur, Mines & Geology Department and Revenue Department in presence of the petitioner, the Sarpanch and the Villagers of Boppudi and submitted their reports. As per their reports concludes, the prohibitory orders issued vide proceedings dated 13.07.2015 shall be continued till a final decision is taken either to terminate the leases or to continue by imposing strict restrictions and conditions.

10. In the mean time, M/s.Sesha Sai Stone Crusher, holder of the lease under proposal, filed W.P.No.36731/2015 against the prohibitory orders dated 13.07.2015 issued by the Director of Mines & Geology and the Hon'ble High. Court on 12.11.2015 has delivered common judgment on 12.11.2015 in W.P.No. 36731/2015 and 36748/2015 and made the following order :

"The impugned proceedings dated 13.07.2015 are set aside. Consequential orders issued pursuant thereto shall also stand nullified.

The Director of Mines and Geology, Andhra Pradesh, is stated to be seized of the enquiry pursuant to the order passed by this Court in W.P.Nos. 22027 and 30220 of 2014. In terms of the said order, the Director of Mines and Geology shall apply his mind and complete the enquiry as directed thereunder within the time stipulated in the common order dated 02.11.2015 passed in W.P.Nos.27379 and 31385 of 2015.

In addition thereto, it shall be open to the mining authorities to undertake verification of all other aspects which may arise in the context of the operation of mining leases by the petitioners in these two cases. The petitioners shall be permitted to continue with their quarrying operations in accordance with their valid and subsisting lease until the completion of the enquiry in the matter by the Director of Mines and Geology, Andhra Pradesh".

11. The Director of Mines and Geology has submitted that the Hon' ble High Court made a similar order on 02.11.2015 in W.P.No. 27379/2015 and 31385/2015 filed by Sri Ch.Seethaj Ramaiah. The Asst. Director of Mines and Geology, Guntur vide Letter No.725/Q/2010, dated 06.11.2015 requested the Director of Mines & Geology to take a decision on the recommendations of the joint team and to issue necessary instructions as regards to issuance of dispatch permits to Sri Ch.Seetha Ramaiah, in the light of the observations made by the Hon'ble High Court. The Director of Mines & Geology vide Memo No.7467/R3-3/2015, dated 18.11.2015 directed to file appeal against the said common orders dated 02.11.2015 of the Hon'ble High Court in W.P.Nos. 27379 & 31385/2015 to avoid legal complications in future. As such, the Asst. Director of Mines and Geology, Guntur has prepared detailed affidavit for filing Writ Appeal against the said common orders dated 12.11.2015 of the Hon'ble High Court in W.P.Nos. 36731 & 36748/2015 and the Asst. Director of Mines and Geology, Guntur personally approached the Government Pleader for Industries on 11.12.2015 and on perusal of the judgement dated 12.11.2015 and the Writ Appeal, the Government Pleader opined that it is not a fit case to file appeal. However, the Govt Pleader suggested either to: Bring the advise to the notice of the Director of Mines & Geology to take a decision whether or not to file Writ Appeal and in turn to communicate the same to the Government Pleader by the Director of Mines & Geology. (or) (2) To implement the court order (or) (3) To cancel the leases forthwith.

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12. As the lease holders have not paid the expenses for conducting Blasting test as directed by the Department within the time given and since they did not even try to do in whose name the payment has to be made, though ample time is given, the leases are liable for cancellation under Rule 11 (1)(a) and based on the violations made by the lessee in respect of other relevant rules. |

13. In the mean time, the Director of Mines & Geology vide Memo. No. 7467/R3-3/2015, dated 28.11.2015, has directed to inform the lease holders of Boppudi village to contribute the total cost amount of Rs. 13,91,370/- to be payable to the National Institute of Rock Mechanics, Bangalore for conducting blasting studies and recommendations keeping in view of the temple, village habitation / dwelling houses in the proximity of the quarrying area. It is also directed to furnish necessary proposals under Rule 11(1) (a) of APMMC Rules, 1966 under public interest to recommended for cancellation of quarry leases held in Sy.No.324 & 513 of Boppudi village, if it is not agreed by the lease holder for payment of the said amount. Accordingly the Asst. Director of Mines and Geology, Guntur directed all the (13) lease holders, including Smt. Ch. Chenchu Kumari, the holder of the lease under proposal to contribute the cost of Rs. 13,91,370/- by sharing among themselves and their consent has to be received on or before 09.12.2015, failing which, the leases held by them will be proposed for cancellation under Rule 11(1) (a) of APMMC Rules, 1966 under public interest.

14. M/s.Sesha Sai Stone Crusher vide their letter dated 09.12.2015 has stated that he is ready to pay his share of expenses out of Rs. 13,91,370/- to conduct blasting test by N.I.R.M., and requested to intimate in whose favour the Demand Draft has to be drawn.

15. Further, the DM&G has submitted that Dr. B.N.Ramesh, I.P.S., Dharmakartha of Venkateswara Swamy Temple and Sri A.Seetharama Raju and the Sarpanch and Villagers of Boppudi Village have been making representations time and again since 2013 to cancel the quarry leases to safeguard the ancient temple situated on the hill top and also in view of the safety of the villagers.

16. Thus, large public interest is involved in the issue according to the recommendations of the team of officials made by them during the joint inspection conducted on 23.07.2015 because of the existence of the Holy Temple of Lord Venkateswara Swamy and allied structures on the top of the hill and because of the houses and dwellings existed within the proximity of the quarrying zone. Hence these public interests are to be protected.

17. Besides the above, the lease holder has committed breach of the following other Rules and Regulations :

- a) Not submitted Form-FI as required under Rule 30 of APMMC Rules, 1966 and as stated by the Deputy Director, Mines Safety, Nellore in his report dated 31.07.2015.
- b) Not furnished quarterly and annual returns as required under Rule 28(3) of APMMC Rules, 1966.

18. Hence, the Asst. Director of Mines and Geology, Guntur vide Lr.No. 3082/Q/2005, dated 15.12.2015 has submitted proposals to the Deputy Director of Mines & Geology, Guntur for cancellation of the quarry lease held by M/s.Sesha Sai Stone Crusher for Road metal over an extent of 0.720 Hectares in Sy.No. 324/Part, Boppudi Village, Chilikaluripet Mandal, Guntur District under Rule 11(1) (a) of APMMC Rules, 1966 by exercising the powers conferred under Rule 31(xvi) of APMMC Rules, 1966 in the larger public interest and also for the violations of Rule 28(3) and Rule 30 of APMMC Rules, 1966 committed by the lessee.

19. The Director of Mines & Geology vide Notice No.7467/R3-3/2015, dated 23.10.2016 has issued a Notice to the Lease holders of both Granite & Road Metal existing in Sy.No:324 & 513 of Boppudi Village, Chilikaluripet Mandal, Guntur district to attend for personal hearing in the Secretariat on 07.11.16 at 03.00 PM.

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20. The Hon'ble Supreme Court of India judgment dated 12.12.2003 in SLP Nos. 1907 & 1908/2000 have made the following order:

"the guidelines issued by the Andhra Pradesh Pollution Control Board specified 1 KM to be safe distance between crusher and human habitation from 17.01.1997. Prior to that it was only 500 meters away from National Highway and 100 meters away from the State Highway, Major District roads and other roads. That is why this Court granted an interim order earlier and directed that no mining and stone crushing operations shall be carried on within a distance of 1 KM from lake or reservoir and 500 meters from human habitations".

21. The Director of Mines & Geology, Hyderabad vide D.Ds. Procs. No. 7467/R3-3/2015, dated 30.11.2016 during the hearing conducted on 07.11.2016, concluded that the observations of the Hon'ble Supreme Court of India, considering the material on record viz., the Technical inputs suggested by the Joint Inspection Team, the recommendations of the Revenue and Endowment Departments, clearly point to the adverse impact of that the quarrying operations would cause on human habitations in the vicinity of the temple and the possible damage to the road way and path way to the temple, to cancel the leases in the subject area.

22. In this connection, the DM&G has submitted that the Technical Staff of the Asst. Director of Mines and Geology, Guntur have inspected the quarry lease area on 06.09.2014 and taken the measurements from quarry lease area to Temple as well as the habitation. As per the report, the subject quarry lease area is at a distance of **185 mtrs from temple and 50 mtrs from habitations**. Hence the quarry lease is liable for cancellation as per the Hon'ble Supreme Court of India Judgment dated 12.12.2003 in SLP Nos. 1907 & 1908/2000. Hence, the Asst. Director of Mines and Geology, Guntur vide Lr.No. 3070/Q/2011, dated 13.12.2016 has submitted proposals to the Director of Mines & Geology for cancellation of the quarry lease held by M/s Surya Teja Exports for Black Granite over an extent of 2.270 Hectares in Sy.No.324/P of Boppudi Village, Chilakaluripet Mandal, Guntur District under Rule 11(1) (a) of APMMC Rules, 1966 by exercising the powers conferred under Rule 31 (xvi) of APMMC Rules, 1966 in the large public interest and also for the violation of Rule 41 and 42 of GCDR 1999 committed by the lessee and also keeping in view of Hon'ble Supreme Court of India judgment dated 12.12.2003 in SLP Nos 1907 & 1908/2000. Accordingly, the Director of Mines & Geology vide D.Dis Proceedings No. 7467/R3-3/2015-6, dt. 15.02.2017 has cancelled the subject lease keeping in view of Hon'ble Supreme Court of India judgment dated 12.12.2003 in SLP Nos. 1907 & 1908/2000.

23. Aggrieved by the cancellation of the lease, Smt. M/s Surya Teja Exports has filed Revision before the Government.

24. Further, the Director of Mines & Geology has submitted that the Technical Staff of the Asst Director of Mines & Geology, Guntur have inspected the quarry lease area on 06.09.2014 and taken the measurements from quarry lease area to Temple as well as the habitation. As per the report, the subject quarry lease area is at a distance of 185 meters from temple and 50 meters from habitations.

25. Further, the Director of Mines & Geology, Hyderabad vide DDs Procs No. 7467/R3-3/2015; dated 30.11.2016 during the hearing conducted on 07.11.2016, concluded that the observations of the Hon'ble Supreme Court of India, considering the material on record viz., the Technical inputs suggested by the Joint Inspection Team, the recommendations of the Revenue and Endowment Departments, clearly point to the adverse impact of that the quarrying operations would cause on human habitations in the vicinity of the temple and the possible damage to the road way and path way to the temple, to cancel the leases in the subject area.

26. The subject lease area is at a distance of 185 meters from temple & 50 meters from habitations, and hence cancelled the subject lease as per the Hon'ble Supreme Court of India judgment dated 12.12.2003 in SLP Nos 1907 & 1908/2000.



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27. Further, the Assistant Director of Mines & Geology, Guntur requested not to consider the revision filed by M/s Surya Teja Exports on the following grounds:

- a) The Technical Staff of the ADM&G,, Guntur have inspected the quarry lease area on 06.09.2014 and taken the measurements from quarry lease area to Temple as well as the habitations. As per the report, the subject quarry lease area is at a distance of 185 mtrs from temple and 50 mtrs from habitations.
- b) The Director of Mines & Geology during the hearing conducted on 07.11.2016, concluded that the observations of the Hon'ble Supreme Court of India, considering the material on record viz., the Technical inputs suggested by the Joint Inspection Team, the recommendations of the Revenue and Endowment Departments, clearly point to the adverse impact of that the quarrying operations would cause on human habitations in the vicinity of the temple and the possible damage to the road way and path way to the temple, to cancel the leases in the subject area.
- c) The Director of Mines & Geology, Guntur vide DDis Procd No.7467/R3-3/2015-6, dated 15.02.2017 has cancelled the subject lease keeping in view of Hon'ble Supreme Court of India judgment dated 12.12.2003 in SLP Nos 1907 & 1908/2000.

28. The Director of Mines & Geology, Ibrahimpatnam has requested to dismiss the revision application filed by M/s Surya Teja Exports.

29. In order to dispose of the Revision Application, a personal hearing was conducted on 17.07.2017 duly giving reasonable opportunity for personal hearing to the Revision Petitioner.

30. After having heard the submissions and examining all the records, the Revisional Authority has drawn the following facts:

- a) A quarry lease was granted in S.No.324/P of Boppudi Village, Chilakaluripet Mandal, Guntur District Vide Proceedings.No.32451/R3/2/2011, Dt.29-09-2011 by way of transfer of the same from M/s Black Gold Granite. The property covers under S.No.324/P and S.No.519 are classified as Konḍaporam baki. The petitioner was also granted environmental clearance by the state level environmental impact assessment authority A.P (SEIAA) Vide order No. SEIAA/AP/Gnt-117/2015-2814, Dt.03-08-2015.
- b) Later on, one Alluri Seetaramaraju filed Writ Petition requesting to cancel quarry leases in Sy.No.324/P and 513 of Boppudi Village, Chilakaluripet Mandal, Guntur District for road metal and granite on the ground that the quarrying operations in the heavy quarry leases are causing damage to the temple and the illegal blasting is destroying the historical temple located nearby and also demolishing the pathway to the temple. A common order was passed by the Hon'ble High Court directing the appropriate authority to call for a report from any of the authorities concerned it deems necessary including calling for a report by directing inspection and survey of the lands where the leases are granted in the event of any application is made by the petitioner. In pursuance of the said order an application was made by the petitioner on 07-11-2014. In obedience of the said order the DMG issued orders stopping the operation of mining lease in the subject area including that of the revision applicant. Later joint inspection was conducted and reports were received from the concerned departments.
- c) It is also a fact that the contents of the petition filed by Alluri Seetaramaraju reads that due to the blasting operations in the quarry the big stones located on the top of the hill which were called as Narasimhaswamy Stones may fall down on the village, and the Revision applicant occupied Mangamma Kunta beyond the leased boundary area. But in fact, there is no such danger as apprehended because the revision applicants are not using the blasting

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operations and wire saw cutting is being done. Further if the revision applicant encroaches beyond the leased area and conduct mining operations it becomes a violation of the terms and conditions of the lease agreement and liable for cancellation. But there is no whisper about the said allegations either in the joint committee report or the report submitted by the Asst. Director of Mines and Geology.

- d) At this stage it is relevant to scrutinize the reports of the concern authorities. Firstly, the report of N.I.R.M Bangalore which reads that the maximum vibration recorded during the blast at the temple is much lower than the permissible limit. The air over pressure recorded during the joint inspection is also well within the permissible limit and the fly rock was within the lease boundary. But he recommended to have a comprehensive scientific blast vibration study has to be conducted to establish the site-specific predictor equation shall assist in computing the permissible maximum charge per delay as per DGMS standards. But it seems that no such effort was made and no such comprehensive scientific blast was conducted while coming to a conclusion by the DMG who passed the order under revision.
- e) The report of the Endowment commissioner reads that the said blast will cause damage to the hill temple and the pathway. But no quarrying operations are conducted to the hill where the temple is located and no permissions were granted for laying ghat road by the Government. As such the report of the commissioner is not an obstacle.
- f) The report of the R.D.O says that the villagers are objecting the blasting and the habitation is situation is within a close proximity. But in fact, the mine of the revision petitioner is in existence since 2005 and there is no material that was placed that any such objections were made by the villagers earlier. Further the quarry of the revision petitioner is located beyond 300 meters and as the said lease relates to granite wherein no blasting of the hill by use of any blasting material is necessary. The revision applicant is cutting the rock with wire saw blades and therefore there will not be any vibrations and the air over pressure also will not be caused. Further the question of fly rock does not arise. His report further reads that strict conditions can be imposed to continue the lease. The same was not taken in to consideration by the DMG.
- g) The report of the Dy. Director of Mines safety, Nellore also says that the blast conducted during the joint inspection was limited and a comprehensive scientific blast vibrations study is needed. Further he has given certain recommendations for safety and follow the guidelines issued Vide DGMS Cir 7 of 1997 and permission under Reg. 164(1B) of MMR 1961. The lease holders were asked to follow the instructions given in his report but he never recommended for cancelation of leases. He recommended only keeping the operations of the mines under suspension till the guidelines were followed. In fact, this being a granite mine the rock will be excavated only through wire saw method. Hence the recording of comprehensive scientific blast vibration study is not necessary.
- h) While coming to the report of the Mines and Geology department that relates to the statement of villagers and Sarpanch of the village which states that if the heavy blasting operations were conducted the same will endanger the dwellers. But in the case on hand admittedly no blasting operations are being conducted and there is no such necessity. The further report of the ADM&Gs Dt.13-08-2015 and 12-09-2016 reveals that the proposed ghat road is passing through the lease area and there is no proof with the department regarding the permission given by the competent authority for laying the said road. As such the implementation of regulation 109 of MMR 1961 does not arise. Further the DMG directed to inform that what would be extent of the said road after including the buffer area as per rules and what would be the net extent available in the subject lease for

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conducting quarrying operations after deleting road along with buffer area for which it was submitted that the proposed ghat road to the temple is passing through the lease held by the revision petitioner and the extent involved is approximately Ac.0.20 cents and the granite quarrying does not require blasting operations since the blocks are separated through wire saw from the mother rock. The report further recommends that the revision applicant should not operate and surrender the proposed ghat road area to the temple. It seems that the revision applicant has submitted an application expressing his willingness to surrender the said area. In such an event there will not be any objection either to the temple authorities or endowments department or villagers. Further the proposed ghat road is passing thorough the lease held by M/s Surya Teja Granites which was already determined. Further the ADMG recommended to accord permission subject to the conditions imposed as per the report of the joint inspection team.

31. In view of the observations and foregoing discussions with regard to the reports of the joint action committee and also the material available on record and also the submissions made by both the parties, it appears the DMG has not taken into consideration all the material points and passed the orders. Further the services of the surveyor were not utilized in assessing the distance between the lease area and habitation area.

32. Based on the above facts, the Revision Authority is of the view that the orders passed by the forum below needs rectification and it therefore just and legal to impose conditions as suggested. Accordingly, the revision petition is allowed and the Revisional Authority is hereby set-aside the orders passed by the Director of Mines & Geology, Ibrahimpatnam from cancelling the lease granted in favour of the revision petitioner in his proceedings No.7467/R3-3/2015-6 and revise the same.

33. Accordingly, the Revision Application is disposed off, under Rule 35-A of Andhra Pradesh Minor Mineral Concession Rules, 1966

34. The Director of Mines & Geology, Government of Andhra Pradesh, Ibrahimpatnam, shall take further necessary action in the matter, accordingly

DURGA PRASAD SAHU  
ADDITIONAL SECRETARY TO GOVERNMENT &  
DEPUTY SECRETARY TO GOVERNMENT (I/C)

To  
The Director of Mines & Geology, Government of Andhra Pradesh, Ibrahimpatnam.  
M/s. Surya Teja Exports, Boppudi Village, Chilakaluripet Mandal,  
Guntur District (BY RPAD)

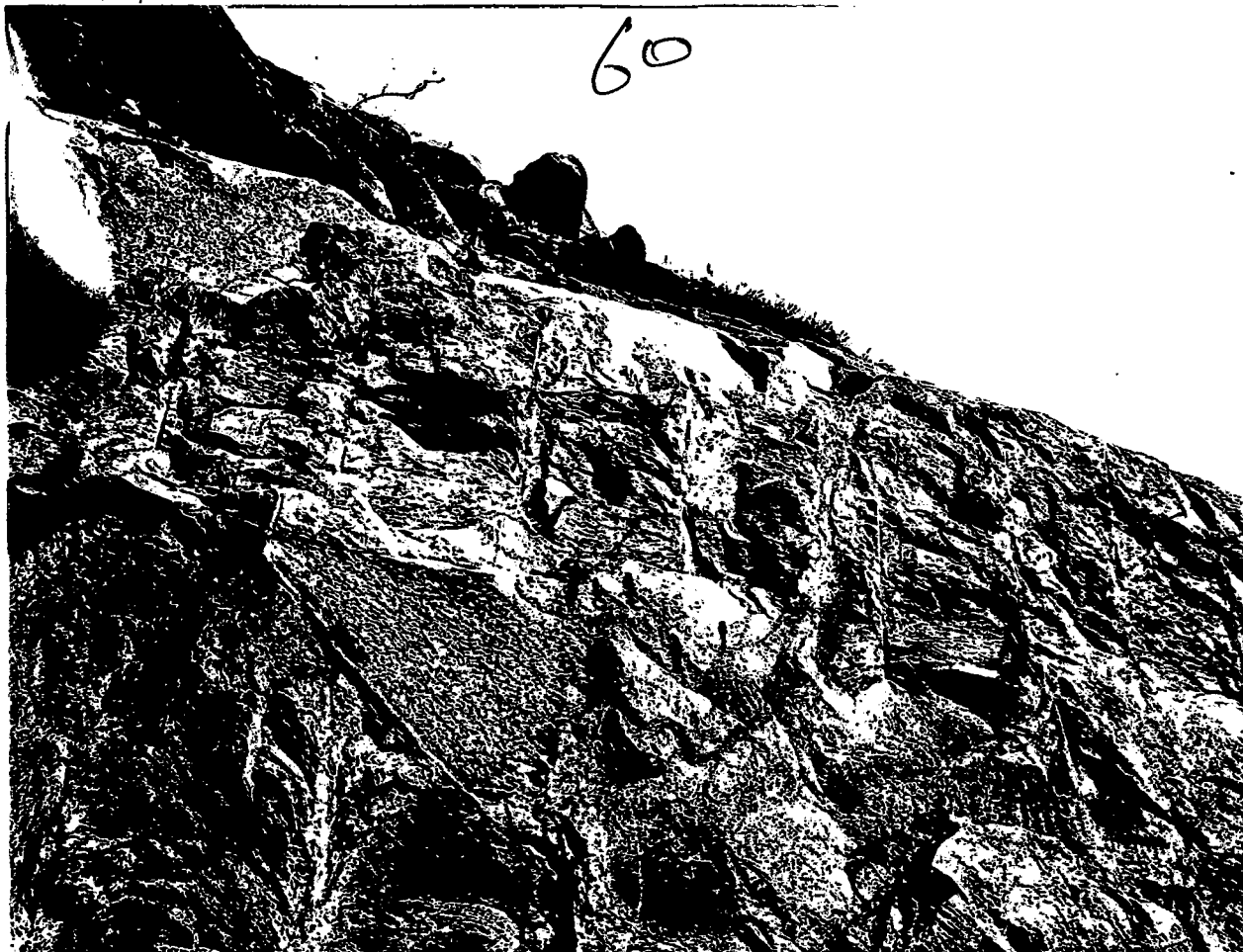
Copy to:

✓ The Assistant Director of Mines & Geology, Guntur.  
P.S to Hon'ble Minister for Mines & Geology, 3<sup>rd</sup> Block, AP Secretariat.  
SF/SC.

//FORWARDED : : BY ORDER//

SECTION OFFICER

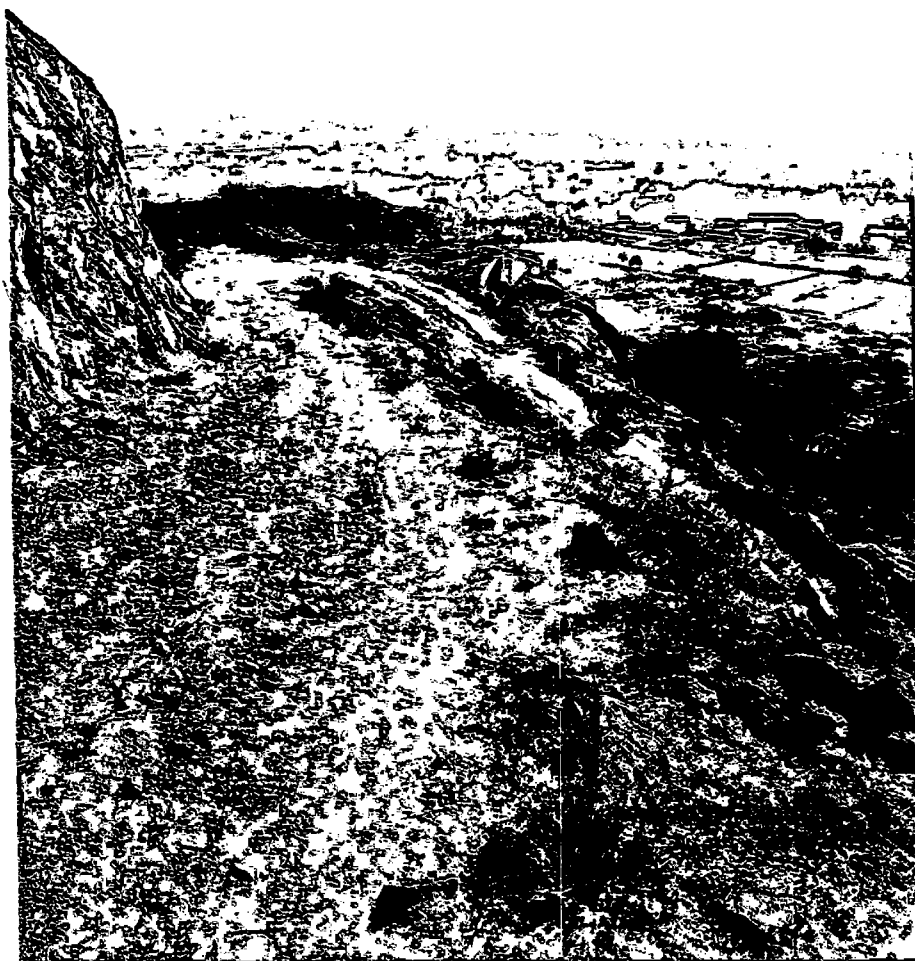
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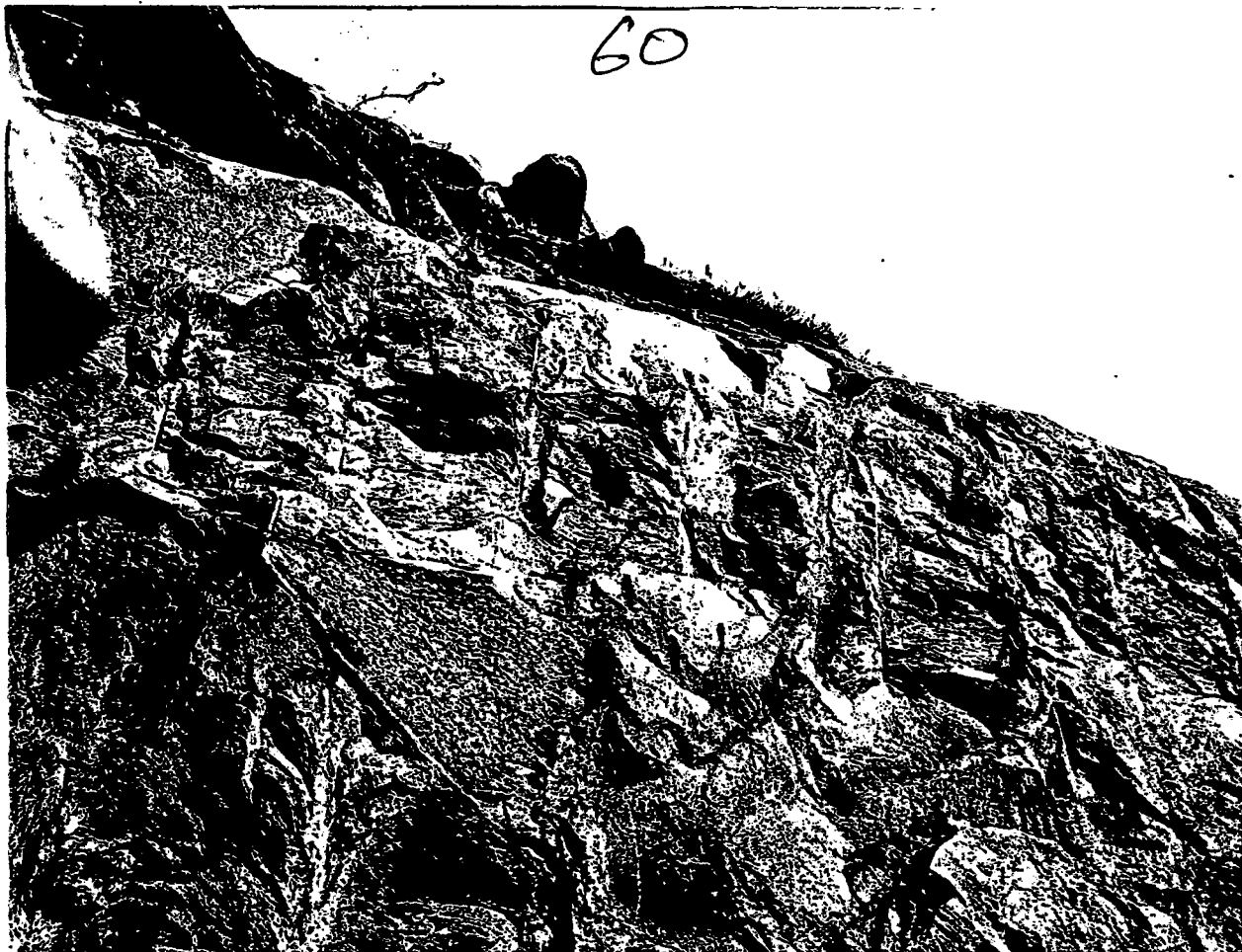
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MEMORANDUM OF WRIT PETITION MISC. PETITION  
(UNDER SEC. 151 OF THE C.P.C.)  
THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

I.A.No. OF 2025

IN

W.P.NO. OF 2025

Between:

1. Popuri Srinivasarao,  
S/o Hanumaiah, age years,  
R/o D.No.14-49, Martur Village & Mandal,  
Prakasam District, Andhra Pradesh – 523301.
2. Dhulipalla Pitchaiah,  
S/o Mallikharjunarao, age 40 years,  
R/o D.No.1-103/B, Murikupudi,  
Guntur District Andhra Pradesh – 522626.

... Petitioners

AND

1. The State of Andhra Pradesh Rep by its Principal Secretary, Revenue & Endowments Department, Secretariat, Velagapudi, Amaravathi. Guntur District
2. The State of Andhra Pradesh Rep by its Principal Secretary, Industries and Commerce, Mines Department, Block III, Velagapudi, AP Secretariat, Amaravati, Guntur District, Andhra Pradesh.
3. The State of Andhra Pradesh Rep. by It's Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi. Guntur District.
4. The State of Andhra Pradesh Rep. by It's Principal Secretary, R&B Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
5. Engineer-in-Chief R&B,  
Address: D. No.7-104, Sri Anjaneya Towers,  
Block - A, 5th Floor, N.T.R.T.P.S. Road,  
Ibrahimpatnam Mandal - 521 456,  
NTRPSS Road, Vijayawada Mylavaram Rd,  
Bhimaraju Gutta, Ibrahimpatnam,  
Andhra Pradesh 521456

6. Director of Mines and geology,  
(DMG) Department of Mines and Geology,  
Sri Anjaneya Towers, D.No. 7-104, B-Bock,  
5th & 6th floors, Ibrahimpatnam,  
Vijayawada Andhra Pradesh-521456.
7. Directorate General of Mines Safety,  
Dhanbad And Ministry Of Labour And Employment,  
Address: DGMS Head Office, Sardar Patel Nagar,  
Dhanbad, Jharkhand 826001
8. Deputy Director of Mines and Geology,  
O/o D.No. 4-2-5B, 1/1, Koretipadu,  
Rammanama peta, Guntur,  
Andhra Pradesh - 522001.
9. Assistant Director of Mines and Geology,  
House No.5-76-22, 4th Lane,  
Pandarai Puram, Guntur-522002.
10. Assistant Director of Mines and Geology, (FAC)  
Address: Near Railway Station, Naryanapura,  
Nadikudi, Dachepalli -522414, Guntur District.
11. Asst Director of Mines & Geology,  
H.No. 78-7-10, Gandhipuram, Rajahmundry,  
East Godavari District. -533103
12. Dy. Director of Mines Safety,  
Opp- Sp Bungalow, Podalkur Road,  
P.O. Dargamitta - Nellore-524001
13. Director of Mines Safety & SO,  
Room No.: 701, 7th Floor, Cgo Tower,  
Old Pra Gato Ols Premises, Kavadiguda,  
Secunderabad, Hyderabad Telangana, Pin:500 080.
14. The Deputy Commissioner,  
Endowments, Guntur. State of A.P.
15. The District Collector,  
Palnadu District, Narasaropet.
16. The Joint Collector,  
Guntur District, Guntur

17. The Revenue Divisional Officer,  
Narasaraopet,
18. The Tahasildar,  
Chilakalurupet Mandal,  
Guntur District, Guntur, A.P
19. The Commissioner,  
Endowments Department, A P,  
Gollapudi, Vijayawada, Krishna District.
20. The Assistant Commissioner,  
Endowments Department,  
Naaz Centre Guntur.
21. The Executive Officer,  
Sri Venkateswara Swamy Temple, Boppudi.
22. A.Seetarama Raju, S/o A.Venkata Ramaraju,  
age 55 years, Occ: Business, R/o 2<sup>nd</sup> Floor,  
LIG 403, Road No.3, Phase-1 and 2,  
KPHB Colony, Hyderabad – 500085.
23. Dr. B.N.Ramesh,  
S/o late Pandurangarao, age 63 years,  
Occ: Professor of Law and Management Dean  
of Maharashtra National Law University,  
Address: Maharashtra National Law University,  
Aurangabad, Paithan Road, Kanchanwadi,  
State of Maharashtra – 431011.

...Respondents

For the reasons stated in the affidavit filed in support of the above Writ Petition, it is also prayed that this Hon'ble court may be pleased to grant interim direction, to direct the respondents to consider and disposal off the representation dated 28.07.2021 pending the writ petition and to pass such other order or further orders which are deemed fit and proper in the circumstances of the case.

AMARAVATHI  
DATE: 21.01.2025

*V.V. Lakshmi Narayan*  
Counsel for the Petitioner

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GUNTUR DISTRICT

HIGH COURT :: AMARAVATHI

I.A.NO. OF 2025

IN

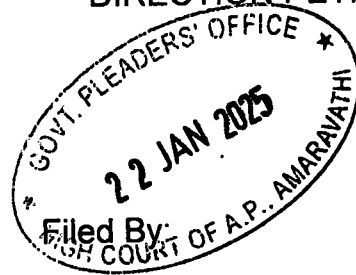
W.P. NO. OF 2025

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DIRECTION PETITION



V.V. LAKSHMI NARAYANA (6619)  
KAVURI GOPINATH(23104)  
HIMA BINDU DRAKSHARAM(15450)  
P.NAMRATHA CHOUDARY (23710)  
NUTHALAPATI MOHAN (24799)  
RAJA SEKHAR DANDLAMUDI (21539)

Advocates

Counsel for Petitioner

9849730753

