

(2001) 08 AP CK 0055

Andhra Pradesh High Court

Case No: Writ Petition No. 14634 of 1993 and 20765 of 1995

Guimpex (Private Limited)

APPELLANT

Vs

The Deputy Director of Mines
and Geology and Others

RESPONDENT

Date of Decision: Aug. 24, 2001

Acts Referred:

- Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948 - Section 20(1)
- Constitution of India, 1950 - Article 14, 19(1), 226, 265, 300
- Mineral Concession (Amendment) Rules, 1968 - Rule 27(2)
- Mineral Concession Rules, 1960 - Rule 54
- Revenue Recovery Act, 1890 - Section 8

Hon'ble Judges: E. Dhamra Rao, J

Bench: Single Bench

Advocate: G. Veera Reddy, for the Appellant; Govt. Pleader for Industries, for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

E. Dhamra Rao, J.

M/s. Gimpex (Private) Limited, Kodur, Cuddapah District filed Writ Petition No. 14634 of 1993 to issue a writ, order or direction declaring that the demand notice No.2650/C/89 dated 26-6-90 issued by the first respondent and the consequential attachment order dated 22-I-1991 issued by the 3rd respondent under the Revenue Recovery Act as null and void and violative of principles of natural justice and fundamental rights guaranteed under Article 14, 19(1)(g), 265 and 300A of the Constitution of India and to issue a consequential direction to the respondents not to give effect to the said demand notice and attachment order and to pass such

further orders which are deemed fit and proper in the circumstances of the case.

2. The Writ Petition No. 20765 of 1996 is filed by the same petitioner to issue a writ of certiorari to call for the records relating to demand notice No.6496/M1/89 dated 28-9-1996 issued by the 3rd respondent and quash the same.

3. The petitioner is a private limited company registered under the Companies Act, 1956. The main objects of the company are to manufacture, refine, dress, improve, manipulate, prepare for market by sale, import, export trade, deal or traffic in all kinds of ores, metals minerals etc. According to the petitioner company, it purchased an extent of Ac.1.10 cents of land in Sdy. No. 78/7, 78/11 to 16 and 77/2 of Mangampeta village, Obulavaripalli Mandal, Cuddapah District from their owners under registered sale deeds dated 2.3.81, 3.3.81 and 17.3.1981 for the purpose of exploiting barytes ore from the said land. The petitioner company undertook mining operations in the above said land. Initially the respondents have not objected to it, but later on the respondents have objected for conducting mining operations on the ground that the lands on which the petitioner is conducting the mining operations is originally Inam lands and after abolition of the Inams, the petitioner's land and other lands are vested with the Government and, therefore, the petitioner company filed OS No.26 of 1989 before the Subordinate Judge, Rajampeta on 2.7.1989 for a declaration that the petitioner has sub-soil rights, that the petitioner is entitled to extract any mineral, major or minor from the said lands and need not obtain any mining lease from the Government and also sought temporary injunction by filing I.A. No. 189 of 1989 in the said suit restraining the respondents from interfering with the petitioner's ongoing mining operations in the said land and by order dated 20.10.1989, the learned Subordinate Judge granted interim injunction directing the petitioner not to pay royalty, cess and taxes to the Government and the matter was carried to the High Court by way of an appeal by the Government and obtained interim stay of the operation of the orders passed by the learned Subordinate Judge, which were alleged to be communicated to the petitioner on 2.11.1989 in CMP No.15771 of 1989 in CMA No. 1608 of 1989. Thereafter, the Assistant Director of Mines and Geology, first respondent herein, issued show cause notice dated 11.11.1989 alleging that the petitioner-company has quarried 864 Mts. of barytes ore from the land and was called upon to show cause as to why costs of the mineral i.e. Rs.1,59,849/- should not be recovered from the company. The petitioner submitted explanation stating that they have removed overburden of 10,000 MTS of earth by spending Rs.2.00 lakhs. It is further stated that the petitioner applied for the grant of transport permits for 500 MTS. But in view of the orders passed by the High Court, the petitioner could not conduct any quarrying operations or transported the above mineral as no transport permit was granted by the respondents to the petitioner. Thereafter, the Deputy Director of Mines and Geology, Cuddapah, issued demand notice No.2650/C/89 dated 26-6-1990 calling upon the petitioner to pay a sum of Rs.52.11 lakhs towards cost price, royalty, etc. within seven days therefrom. This demand notice referred to the Memo dated

25.2.90 which was not received by the petitioner. In the demand notice it is alleged that the petitioner removed 30000 MTS of barytes from the said land and thus they gave a go bye to the show cause notice dated 11.11.1989. The explanation was referred to the Assistant Director of Mines and Geology, Cuddapah, according to whom, he discovered on 26-5-1990 that the petitioner company has made a pit of 60X25X20 Mt size, but no notice was given to the petitioner with regard to the discovery of the pit by the Assistant Director of Mines and Geology.

4. The original show cause notice issued to the petitioner alleges that the petitioner company has excavated 864 MTs material valued at Rs.1,59,840/- and in the subsequent demand notice, the value was given as for Rs.52.11 lakhs giving a go-bye to the earlier show cause notice. It is alleged that this was invented at the behest of the former Chief Minister, who is hostile to the petitioner company. After the report was received from the Assistant Director of Mines and Geology the first respondent addressed a letter No.3022/M1/90 dated 2.7.1990 calling upon the petitioner to furnish some information, the petitioner sent a reply to the said letter on 24.7.1990 furnishing all particulars required by the first respondent. Thereafter, the petitioner received notice APMDC/Col/90-91 dated 8-8-90 from the Managing Director of the A.P. Mineral Development Corporation, 4th respondent, calling upon the petitioner to pay a sum of Rs.24.00 lakhs to the 4th respondent towards the damages on account of the petitioner quarrying 30000 MTs of barytes ore from the said lands. According to respondent No.4, the value of the 30000 MTS of barytes ore is Rs.45.00 lakhs and the cost of production is Rs.21.00 lakhs and after deducting cost of production, the petitioner has to pay Rs.24.00 lakhs. Thereafter, the petitioner has submitted his explanation on 5.12.1989 and after considering the said explanation, a demand notice dated 26.6.90 by the respondent, which is totally illegal. The petitioner on several grounds attacks this demand notice.

5. The first respondent, through their letter dated 26-6-90 demanded an amount of Rs.52.11 lakhs, on the other hand the 4th respondent in his proceedings dated 8.8.1990 directed the petitioner company to pay Rs.24.00 lakhs on account of the loss suffered by the Corporation for excavating 30000 MTS. It is further stated that the Government has granted lease temporarily to the 4th respondent to the extent of 6.5537 Hts. including the Sy. Nos. which are the subject matter of the writ petition. The Corporation granted regular mining lease in GO Ms. No. 67 dated 19.2.1983 over an extent of 89.9647 HTs. including the extent in which the petitioner-company was allegedly carrying mining operations.

6. When the petitioner company did not pay the demanded amount, the respondents, though issued attachment order, did not implement the same, as there was discrepancy with regard to the quantity of barytes alleged to have been excavated by the petitioner. Thereafter, the 4th respondent has issued tender notification M & S/2/93-94 calling for tenders for the purpose of 3 lakh Mts. Of barytes and the petitioner company is one of the participants in the tender. In terms

of clause 3(2) of the tender document Annexure-I, the participant should produce valid miner due certificate as on 30-9-1992. This writ petition is filed by the petitioner company on coming to know that the 4th respondent will take into consideration the demand notice issued by the 1st respondent dated 26.6.1990 and the attachment order dated 22-1-1991 and also the demand made by the 4th respondent vide proceedings dated 8-8-1990 and, therefore, the petitioner company has reason to apprehend that the 4th respondent with a view to get rid of the petitioner may invoke under clause 3(2) of the tender document.

7. The petitioner company filed Miscellaneous Petition No. 18580 of 1993 in WP No. 14634 of 1993 seeking stay of all further proceedings pursuant to the attachment order dated 22-1-1991 issued by the 3rd respondent, a learned Single Judge granted stay on the condition of the petitioner depositing a sum of Rs.1,59,849/- to the satisfaction of the 2nd respondent and also further stayed all proceedings under Sec. 8 of the Revenue Recovery Act pursuant to the attachment order dated 22-1-1991 and ordered that in default of complying with those conditions the stay stands vacated and left open to the respondents to proceed further after giving a show cause notice to the petitioner.

8. In pursuance of the orders passed by the learned Single Judge, Deputy Director of Mines and Geology, Cuddapah, issued show cause notice No.6496/M1/89 dated 28.9.1996 demanding payment of Rs.50,39,301/- towards the costs of 30000 MTS barytes which were excavated and transported by the petitioner unauthorisedly giving details thereof and giving seven days to deposit the said amount or else the department would be constrained to take necessary action for recovery of the amount under the provisions of the Revenue Recovery Act.

9. Questioning the above said proceedings, the petitioner filed writ petition No. 20765 of 1996.

10. Consequent upon Rule Nisi issued by this Court, the respondents filed counter affidavit, controverting the assertions made in both the writ petitions. It is stated that the Government has taken over the Inam village of Mangampeta under Estate Abolition Act vide GO Ms. No. 592 dated 2-7-1973. In pursuance of the Industrial Policy Resolution of 1956, the Government of Andhra Pradesh vide GO Ms. No. 27 dated 1.7.74 has reserved the entire barytes bearing area of Anantharajupeta and Mangampeta village, except the leased out areas, for exploitation under public sector and the Government has sanctioned a temporary permission vide Memo No. 2164/M.III/75-8 dated 4.7.1974 to the Corporation over an extent of 6.5537 Hect. in certain Sy. Nos. including Sy. Nos. 73/2 and 6 to 16. Thereafter, the Corporation under GO Ms. No. 67 dated 19-2-1983 granted regular lease over an Extent of 89.9647 Hect. Insofar as the contention of the petitioner that they have sub-soil rights over an extent of Ac.1.10 cents as they were the purchasers from the said Inamdar under Sanad 1773 is concerned, it is submitted that the entire village of Mangampet was notified and taken over by the government in the year 1973 under

Estate Abolition Act, 1948 and thus the inam tenure was abolished. It is further submitted that the petitioner company filed OS No. 26 of 1989 before the Subordinate Judge's Court, Rajampet on 2-7-1989 and claimed sub-soil rights. The matter was carried to the High Court by the respondents and obtained stay of the operation of the order passed by the learned Subordinate Judge and ultimately the suit was dismissed by order dated 15-7-1994. It is further stated that they received report from the Assistant Geologist who was specially posted at Mangampet, to verify the mining and transport operations conducted by the mine owners and mineral dealers, vide their letter dated 27-10-1989. It is also stated that the petitioner company informed to the Indian Bureau of Mines, Nellore in Form No.I on 7-12-1989 that they intended to discontinue the mining operation in the said area with effect from 7-12-1989. Therefore, it is evident from the above statement that the petitioner never stopped mining operations till 2.11.1989 i.e. on the date of receipt of the order of the High Court. It is further alleged that the petitioner company continued mining operations even after receipt of the order of the High Court. It is stated that the Assistant Geologist inspected the area with the assistance of one Technical Assistant on 1.11.1989 and tried to stop the petitioner's mining operations in view of the High Court order, but the petitioner did not stop mining operation and thereafter, they have approached Circle Inspector of Police, Rajampet on 1.11.1989 and 2.11.1989 for protection and to make the petitioner to stop the mining operation and informed that the petitioner has transported 864.00 MT of barytes on the early hours of 2.11.1989 against the orders of the High Court, that the said quantity was excavated from the pit of 9X8X3 Mts. Found the said area. Basing on the above said report, the Deputy Director of Mines and Geology, Cuddapah issued show cause notice 6496/M1/89 dated 11.11.1989 to the petitioner for recovery of Rs.1,59,840/- for the unauthorized excavation and transportation of 864 MT of barytes, as per Section 21(5) of the Mines & Mineral (Regulation & Development) Act, 1957. It is further stated that the petitioner has transported 30000 MTS of barytes from the subject area unauthorisedly, details of which were given by the Assistant Geologist, which was transported from 26-11-1989 to 15-12-1989; out of which a quantity of 16,495 MTs was transported during day time and balance quantity in the night. When the Government has appointed a Commission of Enquiry headed by Sri K.V. Natarajan to enquire and fix up the liability for illegal mining of barytes at Mangampet, it was reported before the Commission by the then General Manager of APMDC, Mangampet, on 28-7-1990 that the petitioner continued mining operation even after the High Court orders. The Commission, reported that the petitioner had illegally excavated and transported 30000 MTS barytes unauthorisedly and the Government by Memo No.65/M/IV-2/91-1 dated 9/1/1991 ordered to recover the due amount. It is further submitted that when the respondents tried to stop illegal operations of the petitioner in view of the High Court orders, the petitioner did not stop and the respondent approached the Additional Superintendent of Police to provide armed police for protection, they also met the District Collector for the said purpose, but in

vain, and thus in between 8-12-1989 to 12.12.1989 the respondents contacted Circle Inspector of Police, Mandal Revenue Officer and Sub-Inspector of Police, Obulavaripalli Mandal number of times over phone and personally appraised them the need to post armed forces at the site to put an end to illicit mining in Sy. No. 78 of Mangampet village, that the General Manager, APMDC has also met the District Collector, Superintendent of Police, Circle Inspector during 12.10.1989 to 16.1.1990 to arrest the illicit mining activity, but in vain. It is further stated that at the request of the Managerd, APMDC, the Principal Secretary, Industries and Commerce directed the Superintendent of Police and Collector, Cuddapah District to take necessary action to curb the illicit mining in their Memo 41/M3/90-1 dated 22.1.90, that the Senior Mines Manager, Mangampet barytes Project through their letter dated 28-7-1990 reported to the Managing Director, APMDC in connection with the submission of report on the illegal mining operation in Sy. No.78/11 to 14 and on 23-12-1989 the General Manager addressed the petitioner company for stopping the illicit mining on the basis of the note file submitted to him. Thereafter the officials of the APMDC, requested the District Collector and the Superintendent of Police, to take necessary action to stop the mining operation being carried on in Sy. No.78/11 to 14 alongwith other Sy. Nos.

11. It is further stated that when the Circle Inspector of Police, Kodur, called the representative of the petitioner company to the Police Station, Kodur, he has stated that the petitioner company is having Court orders to do the mining operations in Sy. No. 78/211 to 14, but he failed to produce the orders of the Court. However, stopped the mining operations with effect from 3.1.90. It is further stated that the then Assistant Director, Mines and Geology, Cuddapah, inspected the subject area on 27-5-1990 and observed that the earlier pit of 9X8X3 Mts. Was enlarged to 60X25X20 Mts., therefore, the mineral removed was quantified at 30000 MTs. by taking 1/4th of the volume of the pit towards recovery of the ore. Accordingly, the petitioner was demanded to pay an amount of Rs.52.11 lakhs. After rejecting the explanation of the petitioner submitted to the show cause notice, the Deputy Director of Mines and Geology, Cuddapah issued demand notice for recovery of Rs.51,99,150/- after deducting Rs.11,850/- paid earlier by the petitioner for issuance of permit of 500 MT under the provisions of the Revenue Recovery Act, vide letter No.2650/C/89 dated 23.7.1990. Accordingly, the Mandal Revenue Officer, Obulavaripalli issued attachment order dated 22-1-1991 u/s 8 of the Revenue Recovery Act.

12. It is further contended that against the said order revision is provided to the Government of India under Rule 54 of the Mineral Concession Rules, 1960 and the petitioner, without availing the alternative efficacious remedy, has straight away approached this Honourable Court and filed these two writ petitions, which are liable to be dismissed.

13. On the above averments, the learned Senior Counsel appearing on behalf of the petitioner submitted that after communication of the order passed by the this Court, the petitioner has not conducted any mining operations and the Assistant Director, Mines and Geology, Cuddapah has allegedly inspected the area without giving any notice and no panchanama thereof was conducted when he allegedly found enlargement of pit from 6X8X3 to 60X25X20 Meters. Therefore, the impugned action initiated by the respondent is offending principles of natural justice. It is further contended that the show cause notice dated 11.11.89 demanded Rs.1,59,840/- while the second show cause notice dated 26-6-1990 demands Rs.52.00 lakhs giving a go bye to the earlier show cause notice, on the letter of the Assistant Director, Mines and Geology, Cuddapah, alleging that the petitioner has extracted and transported 30000 MTs of barytes, that at no point of time the petitioner extracted and transported 30000 MTs. of barytes. It is further contended that the petitioner company, after service of the orders passed by High Court, has stopped the mining operations and raised crops in the said area, but the respondents without considering explanation submitted by the petitioner in correct perspective, passed the impugned order. It is next contended that if the writ petition is admitted on merits, it cannot be dismissed at the time of final hearing per se on the ground of availability of alternative remedy.

14. In support of these contentions, the learned Senior Counsel has placed reliance on Board of High School and Intermediate Education U.P., Allahabad and Another Vs. Bagleshwar Prasad and Another (1) and Bhadrachalam Paper Boards Limited, Secunderabad Vs. Union of India & Others(2) . With regard to the legal proposition, relied on by the learned counsel for the petitioner, there is no quarrel.

15. Let us, in the backdrop of these contentions and averments, examine the case on hand.

16. Evidently, the correspondence between the petitioner company and the respondents started from 11.11.1989, under which the petitioner was directed to pay an amount of Rs.1,59,840/- towards the value of 864 MTs of barytes ore extracted and transported by it, to which the petitioner has replied on 5.12.1989. The explanation submitted by the petitioner was rejected and the Deputy Director of Mines and Geology and issued a Demand Notice dated 26-6-1990 on the basis of the inspection report dated 27-5-90 of the Assistant Director of Mines and Geology, in which he noticed that the pit was enlarged to 60X25X20 Meters, demanding a sum of Rs.52.11 lakhs. Further the Managing Director, APMDC, demanded an amount of Rs.24.00 lakhs towards the value of 30000 MTs. of barytes, which the petitioner has not deposited and, therefore, the proceedings were initiated under the Revenue Recovery Act on 22.1.1991, with the issuance of Attachment Order.

17. In the notice 6496/M1/89 dated 11.11.1989, it is alleged by the respondent that the Assistant Geologist and other Officers posted at Mangampet tried to stop illicit mining activities of the petitioner company in vain, but the company has

transported from the mine site on the early hours of 2.11.1989, contravening Section 4 of the Mines and Mineral (Regulation & Development) Act, 1957 and clause (a) of Sub-Rule (2) of Rule 27 of the M.C. Rules, 1968 and that the value of 864 MTs of barytes illegally transported, has to be recovered from the petitioner under Sec.21(5) of the d Act, 1957 to the tune of Rs.1,59,840/-. The respondents rejected the explanation submitted by the petitioner to this show cause notice on 5.12.1989 contending that they did not transport anything and it is falsely stated in the notice and further stated that the minerals lying underneath the above lands are vested with the petitioner company but not with the Government and Sec.4(1) of the Act, 1957 does not apply as the suit land is a part of the shortriam village and Section 20(1) of the A.P. Estate Abolition Act protects their rights.

18. Insofar as the notice dated 26.6.1990 is concerned, alleging that the pit was enlarged from 6X8X3 to 60X25X20 meters, by taking 1/4th of the volume of the pit towards the recovery of ore, the total quantity of the mineral removed is 30,000 MTs. and therefore, an amount of Rs.52.11 lakhs was demanded from the petitioner calculating value of the mineral at Rs.150/- per tonne. This demand of Rs.52.11 lakhs is different from the demand made earlier to the tune of Rs.1,59,840/-. In these circumstances, it cannot be said the Government has given a go bye to the demand under notice dated 11.11.1989 with regard to 864 MTs of barytes.

19. The petitioner, in his reply dated 13.7.90 to the demand notice dated 26.6.90, denied the allegation made by the respondents and alleged that it has been issued simply to harass the petitioner and the demand was raised for the full value of minerals at a rate unilaterally and exorbitantly deiced by the respondents at Rs.150/- per Metric Tonne, and also the demand for royalty, M.R.T. has also been made in addition to the value, when any market value is supposed to include royalty, MRT and cess.

20. As seen from the facts and circumstances of the case, the impugned notice is based on the direction of a learned Judge of this Court in WP MP No. 18580 of 1993 in WP No. 14634 of 1993 dated 13-9-1993, to enable the petitioner to give his reply to the show cause notice. This direction was given by the learned Single Judge of this Court to satisfy the principles of natural justice by awarding an opportunity to the petitioner to represent his case why he should not deposit Rs. 52.11 lakhs towards the cost of 30000 MTs. of mineral exploited from the mine to the extent of Ac.1.10 cents in Sy. No. 78/7, 78/11 to 16 and 77/2 OF Mangampeta Village. The respondents were not satisfied with the explanation submitted by the petitioner to show cause notice, hence, requested the District Collector to initiate proceedings under the Revenue Recovery Act for the recovery of such amount. Accordingly, the Mandal Revenue Officer issued impugned proceedings under Sec. 8 of the Revenue Act for recovery of Rs.52.11 lakhs. Therefore, it cannot be said that the respondents have no material to demand the above said amount. Throughout the proceedings, the petitioner, except denying the statements made by the respondents, never

requested the authorities to give an opportunity to represent their case either personally or conduct a joint enquiry with regard to the mining operations conducted in the disputed mine. On the other hand, as stated in the counter affidavit, there are reports of the Assistant Director, Mines and Geology, Cuddapah and the spot report from the Assistant Geologist, who was specially posted to inspect the mining operations of the petitioner in addition to the report of Natarajan Commission. That apart, as seen from the statements made in paragraph No.5 and 6 of the counter affidavit, the petitioner did not allow the respondent authorities, who are public servants, to discharge their official duties but made them to roam from pillar to post, either to serve the order of this Court passed in CMP No. 15771 of 1989 dated 31.10.1989 in CMA No. 2608 of 1989 or to stop the mining operations in the said land. As seen from the records, the respondents, to discharge their official duties, have approached the Superintendent of Police, Cuddapah, Inspector and Sub-Inspector of Police, Obulavaripalli and the District Collector to give assistance to stop the mining operations of the petitioners, after the orders passed by this court. When those efforts also failed, they approached the Principal Secretary, Industries and Commerce, at whose intervention the Police, who expressed their inability to assist the respondent earlier have moved and made the petitioner to stop the mining operations. Therefore, the petitioner has deliberately prevented the Government Servants from serving copy of the order of High Court. Whenever, the respondents" officials went to serve copy of the order, they had to take the assistance of police for the high handed attitude of the petitioner. These facts were not mentioned in the affidavit, however, this court came to know the same after filing counter by the respondents. Therefore, the petitioner does not appear to be a law-abiding citizen, but he has taken the law into his own hands, acted high handedly and caused a lot of inconvenience to the Public Servant and caused financial loss to the State Exchequer. Therefore, I hold that the courts can extend helping hand to the persons who come to the court with clean hands. As stated above, the petitioner did not approach this court with clean hands. Therefore, he does not deserve any help from this court in exercise of extraordinary jurisdiction conferred under article 226 of the Constitution of India. Hence, the Writ Petitions deserve to be rejected.

21. It cannot be contended that once the writ petition is admitted and pending for long time and that at the time of disposal of the writ petition finally, it cannot be rejected on the ground of availability of alternative remedy, if there are questions of disputed facts involved, it can be rejected even at the time of disposal of writ petition, as held by a Division Bench of this court in Bhadrachalam Paper Boards Limited, Secunderabad Vs. Union of India & Others(1993 (1) A. W. R. (139). As contended by the learned Government Pleader, the petitioner has not filed review before the Government of India under Rule 54 of the Rules, 1960 on the ground also, the Writ Petitions are liable to be dismissed.

22. From the above discussion, I am thoroughly satisfied after going through the material placed before me that the petitioner has conducted mining operations in the land and extracted barytes ore and transported the same to his customers after passing order by the High Court and even after service of the same on the petitioner. As per the report of the Assistant Geologist, who was specially posted, submitted report giving time, number of the trucks and the names of the owners, through which the barytes ore was transported. It is also evident from the notice dated 7.12.89 to the Indian Bureau of Mines, Nellore, intimating to discontinue the mining operations temporarily and that statement was made by the representative of the petitioner company to the police, that they obtained orders from the High Court to continue mining operations in the land, but failed to furnish a copy of the order by 3.1.990. Further, on the basis of the findings of the enquiry Commission Report in which the petitioner company has participated. Further in view of the statement that the company is conducting agricultural operations in the said land, clearly establish that he has destroyed the evidence to the effect of conducting mining operations expanding the size of the pit from 9 x 8 x 3 Mts. To 60x25x20 Mts and that exporting 30000 MTs of barytes ore worth about Rs.52.11 lakhs as assessed by the respondents. As I have already held above that the petitioner has not approached the court with clean hands for redressal of his grievance, on that ground also the petitioner is not entitled for the grant of any relief.

23. For the above said reasons, the impugned notice issued by the respondents and further proceedings initiated under Revenue Recovery Act is just, reasonable, valid and in terms of the provisions of law. Therefore, I do not see any reason to entertain the writ petitions. The writ petition accordingly fail and are dismissed, with costs.