

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA

PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19348 of 2015

BETWEEN

S.Satyanarayana and another

... PETITIONERS

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary (Department of Revenue), A.P. Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:-

Heard learned counsel for the petitioners and learned Government
Pleader for Medical and
Health.

2. Petitioners question the order of respondent No.2, dated 16.06.2015, whereby permission granted to them for establishing a poultry farm at Konthangi Village of Sankhavaram Mandal, East Godavari District, was cancelled on the basis of complaint received and the enquiry said to have been conducted. The said order is questioned *inter alia* on the ground that

petitioners were never given any opportunity nor any notice and the alleged reports of the enquiry were never given to the petitioners. It is stated that petitioners' poultry is situated at 2 Kms away from the village and there are 25 poultry sheds near the village, but no action is taken by any of them. But the permission of the petitioners is cancelled on the complaint received.

3. A reading of the impugned order itself would show that the permission granted to the petitioners is straight away cancelled without putting them to notice and without calling for their explanation. The enquiry report said to have been obtained by the District Medical and Health Officer, East Godavari District, also was not furnished to the petitioners and, therefore, the order is clearly contrary to principles of natural justice and since it visits the petitioners with civil consequences, respondent No.2 ought to have given appropriate notice to the petitioners and opportunity to them before taking a decision in the matter.

4. Writ petition is, accordingly, allowed. Impugned order is, therefore, set aside. The matter shall stand remitted to respondent No.2, who is at liberty to comply with the principles of natural justice, as mentioned above, and then take an appropriate decision.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

July 1, 2015
LMV

VILAS V. AFZULPURKAR, J