

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27606 of 2015

DATED : 31.08.2015

Between :

Alala Gopal Reddy S/o.Bhoomanna,
Age : 49 yrs, Occu : Agriculture,
R/o.Yamapur Village, Ibrahimpatnam Mandal,
Karimnagar District.

..

Petitioner

and

The State of Telangana,
Rep., by its Principal Secretary,
Panchayat Raj Department,
Secretariat Buildings, Hyderabad & others.

..

Respondents

This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27606 of 2015

ORDER :

Heard learned counsel for petitioner and learned Government Pleader for the Respondents 1 and 3, Sri G. Narender Reddy, learned Counsel for 2nd respondent and learned Government pleader for 4th respondent and with their consent, the writ petition is taken up for disposal at the admission stage.

2. This writ petition is filed questioning the action of the respondents 2 and 4 in not taking action on the representations of the petitioner dated 21.02.2015, 29.06.2015 and 01.07.2015 regarding illegal construction of poultry farm by the 5th respondent and not taking steps to remove the existing poultry farm which is causing obnoxious smell, as illegal.

3. The petitioner is the owner and possessor of agricultural land in Sy.No.8/2, to an extent of Ac.4.19 guntas situated at Yamapur Village, Ibrahimpatnam Mandal, Karimnagar District. The petitioner alleges that the 5th respondent is having land to an extent of Ac.2.00 near to his land situated at Yamapur Revenue Shivar, Ibrahimpatnam Mandal, Karimnagar District and constructed a poultry farm shed without valid permission from the Gram Panchayat, Yamapur and now he is also proceeding with construction of another poultry farm shed in his land. The petitioner alleges that he is cultivating his land by raising Paddy, Maize and Turmeric crops, and as a result of 5th respondent's poultry farm releasing bad smell and throwing the dead hens around

the agricultural lands, dogs, cranes, and other animals are wandering in his agricultural land as well as the land of other villagers causing damage to the crops. The said poultry farm is also causing health problems, to the residents of SC Colony which is situated near to the poultry farm. The petitioner alleges that he and other villagers have submitted representations on 21.02.2015, 29.06.2015 and 01.07.2015 to the respondents 2 and 4. Since no action is taken by the respondents 2 and 4 on the representations submitted by the petitioner, this writ petition is filed.

4. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to the respondents 2 to 4 to expeditiously dispose of the representations dated 21.02.2015, 29.06.2015 and 01.07.2015 submitted by the petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing the respondents 2 to 4 to consider the representations of the petitioner dated 21.02.2015, 29.06.2015 and 01.07.2015 and pass appropriate orders as warranted under law within a period of six weeks from the date of receipt of copy of this order and communicate the decision to the petitioner. The respondents 2 to 4 shall cause notice and afford due opportunity to the 5th respondent before passing orders on the representations of the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

31st August, 2015.
Rds

P.NAVEEN RAO,J