

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT

Public Interest Litigation No. 127 of 2015

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DATED:13.07.2015

Between:

Vakati Ravindra Reddy and others,
Nellore District.

... Petitioners

And

The State of Andhra Pradesh,
Represented by its Principal Secretary,
Municipal Administration & Urban Development,
Hyderabad and others.

....Respondents

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PC: (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the petitioners; Mr. Mohd. Saleem, learned Standing Counsel for respondent No.2 and Mr. Gurram Ramachandra Rao, learned Standing Counsel for respondent Nos.5 and 6.

In the instant P.I.L., the petitioners have made the following prayer:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, to declare the action of the respondent No.2 herein, i.e., Guduru Municipality, in making use of the land in an extent of Ac.6.64 cents in S. No.966 and Ac.6.96 cents in S. No.967 of East Guduru of Guduru Mandal of SPSR Nellore District as dump yard for storing garbage and such other effluent etc., as being illegal, arbitrary and unjust, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.”

Learned Standing Counsel appearing for the 2nd respondent-Municipality, on instructions, submits that they have stopped garbage dumping at the site bearing Survey Nos. 966 and 967, measuring Acs. 13.16 cents and they have applied for permission to use the site as dumping ground and/or solid waste treatment plant, to respondent Nos. 5 and 6. He, on instructions from the Deputy

Executive Engineer(in-charge Commissioner, Guduru Municipality), who is present in the Court, submits that the 2nd respondent shall not use the aforementioned site either as dumping ground and/or solid waste treatment plant/management, unless respondent Nos. 5 and 6 grant them permission. His submission is recorded and accepted.

In view of the submission made by the learned Standing Counsel for the 2nd respondent, learned counsel for the petitioners does not press this petition and seeks liberty to the petitioners to take appropriate remedy, if the permission as aforementioned, is granted by the Pollution Control Board.

The Public Interest Litigation is accordingly disposed of as not pressed with liberty as prayed.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

**S.V. BHATT,
J**

13th July, 2015

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