

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

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Writ Petition No.240 of 2016

Date:27.1.2016

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Between:

Smt. Ginjupalli Swarna Kumari,
W/o. Venkateswarlu,
Tivvuru Village and Mandal,
Krishna District, A.P.

.....Petitioner

And

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

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
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PC:(Per the Hon'ble Sri Justice S.V. Bhatt)

Heard learned counsel for the petitioner and Mr. G. Ramachandra

Rao, learned Standing Counsel for the 7th respondent.

The petitioner, prays for the following prayer:

“..... Writ of Mandamus declaring the action of respondent Nos. 1 to 9 in not taking any action against the respondent No.10 to stop the sound, air and dust pollution from Sri Laxmi Srinivasa Rice and Flour Mill, situated at Door No.22-21, Nadim Tiruvuru, Tiruvuru Village and Mandal, Krishna District as illegal, arbitrary and in violation of principles of Natural Justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

At the time of hearing, learned counsel for the petitioner, fairly states that the rice mill industry established by the 10th respondent is in existence from 1992 onwards.

Admittedly, a representation was filed by the petitioner to the 7th respondent vide petition dated 27.5.2013. The said representation was enquired into and the same was replied by the 7th respondent vide letter No. D-5/PCB/RO-VJA/2013-330, dated 19.6.2013.

We have perused the material available on record and taken note of the submissions made by the learned counsel appearing for the parties.

Prima facie, we are of the view that since the industry is in existence for quite some time, we leave it open to the authorities to examine the complaint against noise and dust from the 10th respondent. If at all, any pollution is noticed by the 7th respondent, appropriate remedial/preventive action is taken to see that the activities of 10th respondent conform to the standards stipulated by law.

With the above observations, the writ petition is disposed of. Consequently, pending miscellaneous applications shall also stand closed. No order as to costs.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

27th January, 2016

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