

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.15309 OF 2016

ORDER:

This writ petition is filed alleging that the impugned order has been issued against the petitioner to close down his cement bricks manufacturing unit, which is run by him, without disposing of his representation.

The facts placed on record reveal that on earlier occasion, the petitioner filed Writ Petition No.9968 of 2016 alleging interference by the revenue authorities and obtained an interim order from this Court that the authorities shall not interfere with the manufacturing of bricks in Survey No.68/2B of Ramapuram Village, Battalapalli Mandal, Anantapur District, without following due process of law. Thereafter, the Grampanchayat issued a notice on 24.03.2016 alleging that brick manufacturing unit is causing great inconvenience to the families in and around the village and the villagers protested and objected for granting of any permission to manufacture cement bricks. It was alleged that the petitioner requires permission from the Grampanchayat and Mining Department before starting brick manufacturing unit apart from seeking conversion of agricultural land into non-agricultural land. The said notice was followed by another notice dated 13.04.2016. The petitioner submitted his explanation on 18.04.2016. In the said explanation, the petitioner did not state whether there was any permission granted in his favour for running brick manufacturing unit, except stating that this Court in W.P.No.9968 of 2016, passed an interim order not to interfere with his manufacturing unit without any notice. Considering the explanation, the impugned notice was issued on 22.04.2016.

As stated supra, in the explanation, the petitioner did not state anything except stating that he filed writ petition and this Court directed the respondents not to interfere with the bricks manufacturing unit without following due process of law. The petitioner did not specify the allegations that he has not obtained permission as required under the A.P.Panchayat Raj Act and the Mining Rules and the allegation that manufacturing bricks in the village is causing inconvenience to the public. Merely because, the date of the explanation made by the petitioner has not been referred to in the impugned order, it cannot be construed that the explanation submitted by the petitioner is not considered. There being no merits, the direction given by the

Grampanchayat to close the brick manufacturing unit cannot be found fault.

Accordingly, the writ petition is dismissed as no merits. There shall be no order as to costs.

Miscellaneous petitions, if any pending in this writ petition shall stand closed.

CHALLA KODANDA RAM, J.

Date: 28.04.2016.

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