

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

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

PUBLIC INTEREST LITIGATION No.364 OF 2015

DATED: 25.01.2016

Between:

Pamulapati Krishna Rao

... Petitioner

and

State of Andhra Pradesh and others

... Respondents

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

PUBLIC INTEREST LITIGATION No.364 of 2015

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ORDER: (per the Hon'ble The Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the petitioner.

In the instant petition, the petitioner seeks the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, direction, order or orders more particularly one in the nature of writ of mandamus declaring the inaction of respondent Nos.1 to 10 in preventing Respondent Nos.11 to 56 from carrying out quarrying, blasting and crushing operations in Sy.Nos.111 and 155/A1 of Chinapalakaluru Village, Guntur District which are being carried without obtaining Environmental Clearance and without obtaining statutory licenses as illegal, arbitrary, mala fide, violation of the Fundamental right guaranteed under Article 21 of the Constitution of India besides being violative of principles of Natural Justice and consequentially direct the respondent Nos.1 to 10 to prevent the Respondent Nos.11 to 56 from carrying out quarrying, blasting and crushing operations in Sy.Nos.111 and 155/A1 of Chinapalakaluru Village, Guntur District which are being carried without obtaining Environmental Clearance and without obtaining statutory licenses in the interest of justice and pass such other orders that are just and necessary in the circumstances of the case.”

The petitioner has made a representation to five

concerned agencies (Annexure P.I) making similar grievance.

Mr. G.Ramachandra Rao, learned Standing Counsel appearing for the Andhra Pradesh Pollution Control Board and

Mr. Krishna Prakash, learned counsel appearing for respondent Nos.1 to 4 submit that they will consider the petitioner's representation (Annexure P.I) dated 09.11.2015 within six weeks from today and shall take action against illegal/unauthorized quarrying/blasting and crushing in Survey Nos.111 and 155/A1 of Chinapalakaluru Village, Guntur District. Their statement is recorded and accepted. In view thereof, nothing further survives in the petition.

Petition is disposed of as infructuous. This shall not preclude the petitioner from prosecuting appropriate remedy if the official respondents do not take action against illegal quarrying. We make it clear that we have not examined merits of the case. In other words, we make it clear that we have not examined whether the subject quarrying/blasting is illegal/unauthorized.

Consequently, miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, ACJ

25th JANUARY, 2016.

S.V. BHATT, J

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