

**HON'BLE THE ACTING CHIEF JUSTICE
RAMESH RANGANATHAN
AND
HON'BLE SRI JUSTICE A. SHANKAR NARAYANA
WRIT PETITION No.30402 OF 2017**

ORDER: (Per Hon'ble The Acting Chief Justice Ramesh Ranganathan)

Heard Sri Vedula Srinivas, learned counsel for the petitioner, and Sri T.V. Ramana Rao, learned Standing Counsel for the Telangana State Pollution Control Board, and, with their consent, the Writ Petition is disposed of at the stage of admission. The proceedings under challenge in this writ petition is the order passed by the Telangana State Pollution Control Board dated 31.8.2017, directing closure of the petitioner unit; as also the consequential order dated 31.8.2017 passed by the Superintending Engineer, TSCPDCL disconnecting power supply to the petitioner unit.

The submission urged on behalf of the petitioner, by Sri Vedula Srinivas, is that the impugned order of closure was not preceded by an opportunity being given to the petitioner to show-cause; and, while the petitioner was called to meet the officials on 30.8.2017, they were informed that a decision had already been taken by them.

Sri T.V.Ramana Rao, learned Standing Counsel for the Telangana State Pollution Control Board, has placed before us a copy of the Analysis report dated 24.08.2017, relating to the samples collected on 11.8.2017. The results indicated in the analysis report show various parameters having been violated by the petitioner herein.

While we were, initially, inclined to order notice and invite a counter-affidavit from the respondents, Sri Vedula Srinivas, learned counsel for the petitioner, submitted that the petitioner would take necessary steps to rectify the deficiencies pointed out by the Pollution Control Board; and submit a compliance report to the Board within two weeks from today. On the petitioner submitting a compliance report, the officials of the respondent Board shall cause an inspection of the premises, satisfy themselves that the deficiencies have been complied with; and, thereafter, consider whether or not the earlier order of closure should be continued.

Suffice it to dispose of the writ petition directing the respondents to complete the aforesaid exercise within six weeks from the date of receipt of the petitioner's compliance report.

Sri Vedula Srinivas, learned counsel for the petitioner, would submit that, unless power connection is restored, it would be difficult for the petitioner to comply with the deficiencies pointed out by the Pollution Control Board. The power connection was evidently disconnected to ensure that the petitioner unit does not function surreptitiously. If, as is now contended before us, restoration of power supply, even in part, is necessary to comply with the deficiencies pointed out earlier by the Telangana State Pollution Control Board, it is open to the petitioner to submit a representation to the respondent Board in this regard, and the Board shall examine the petitioner's request and take a decision thereupon in accordance with law.

The Writ Petition is, accordingly, disposed of. No order as to costs. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Writ Petition stand disposed of.

RAMESH RANGANATHAN, ACJ

A. SHANKAR NARAYANA, J

September 13, 2017.
GBS / MGR

