

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6881 OF 2017

ORDER:

The writ petition is filed challenging the action of the 2nd respondent in not preventing the staff in obstructing the activities of brick making process by the petitioner firm situated in Sy.Nos.18/AA, 19 and 26/A, Darga Hussain Shawali Village, Serilingampally Mandal, Ranga Reddy District.

After arguing the matter for some time, learned counsel for the petitioner submits that a reasonable time may be granted to the petitioner to seize the brick manufacturing activity by shifting the same to a suitable place.

Learned Government Pleader for the Corporation, while resisting the writ petition, submits that the show cause notice was issued to the petitioner as the activity of the brick making is causing serious pollution hazard to the residents living in and around the petitioner's brick making unit. In those circumstances, the learned Government Pleader prays for dismissal of the writ petition. However, learned Government Pleader for Corporation, on instructions, submits that the coercive action as contemplated by the respondent authority shall be kept in hold subject to the petitioner giving undertaking that he would forthwith vacate the premises seized.

Having considered the respective submissions and considering the undertaking filed by the petitioner before this Court that he would seize to operate the brick unit within the time as may be fixed by this Court and especially considering the fact that the petitioner is manufacturing the bricks and he has been in the said premises for the last few years, a reasonable time of one month would suffice for the petitioner to move out.

In those circumstances, accepting the undertaking given by the petitioner, the writ petition is disposed of directing the respondent authorities not to interfere with the activity of the petitioner for a period of thirty days. The petitioner shall vacate the premises in question on or before 15.04.2017. If the petitioner fails to vacate the said premises within the time granted, the respondent authorities are at liberty to take appropriate action without any delay. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand disposed of as infructuous.

CHALLA KODANDA RAM,J

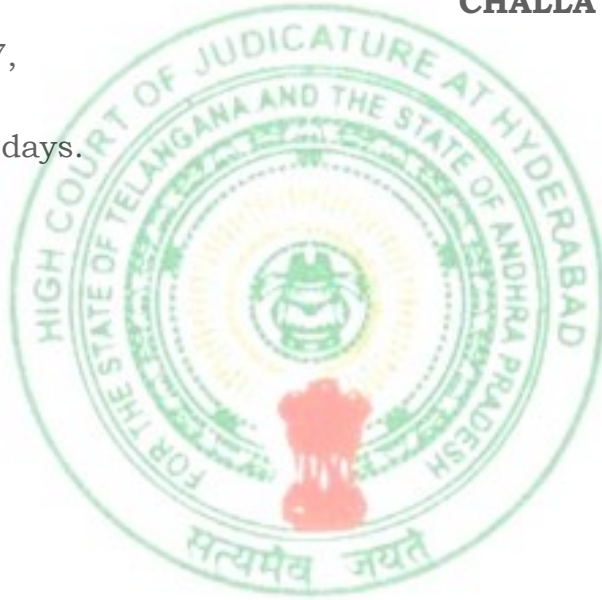
Date:10.03.2017,

Note:

Issue CC in two days.

B/o.

Gk.



THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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10.03.2017

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