

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.33186 of 2011

ORDER:

Petitioners pray for the following relief:-

“.... to issue a writ, order or direction more particularly a writ of mandamus i) Directing the Respondents to consider the representation of the petitioners dt. 28.09.2011 & 03.11.2011 in accordance with law and ii) By declaring the action of the respondent No. 5 in granting permission/sanction to construct and establish a Poultry farm to the respondent No. 7, in Sy.No. 50 of Bakri Chepyal Village, Siddipet Mandal, Medak District, as unjust, arbitrary and illegal and set aside the same. (iii) Directing the respondent Nos. 3 and 4 to take appropriate steps to prohibit the constructions of a Poultry Farm by the Respondent No. 7 in Sy.No.50 of Bakri Chepyal Village, Siddipet Mandal, Medak District ....”

Since the petitioners are not parties to various steps initiated by 7<sup>th</sup> respondent and accepted by official respondents, they are unaware of the permission granted by 5<sup>th</sup> respondent on 20-04-2011. According to 7<sup>th</sup> respondent, the poultry farm was established after obtaining all permissions and the same is run by 7<sup>th</sup> respondent without causing nuisance to neighbours.

Learned counsel for petitioners submits that the petitioners may be given liberty to file objections before the 5<sup>th</sup> respondent against establishment or operation of poultry farm by 7<sup>th</sup> respondent and the 5<sup>th</sup> respondent may be directed to examine the objections, cause local inspection, if necessary, obtain

Certificate from the Medical and Health Department and take appropriate decision in this behalf.

Learned counsel appearing for respondents 5 and 7 agree to the submission of petitioners.

Hence, I am satisfied that the writ petition can be disposed of by this order.

The petitioners are given liberty to represent to 5<sup>th</sup> respondent on the establishment and running of poultry farm by 7<sup>th</sup> respondent within four weeks from today. The 5<sup>th</sup> respondent causes inspection of the locality, finds out the sanitary conditions maintained by 7<sup>th</sup> respondent, if necessary, obtains further NOC from Medical and Health Department, affords opportunity to 7<sup>th</sup> respondent and thereafter issues directions or orders as are deemed fit and proper in the facts and circumstances of the case. The said exercise shall be undertaken and completed within three months from the date of receipt of representation from petitioners.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

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S. V. BHATT, J

Dt: 06-02-2017  
Prv

