

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 22929 of 2018

ORDER: *(Per the Hon'ble Sri Justice Ramesh Ranganathan)*

The relief sought for in this writ petition is for a *mandamus* to declare the inaction on the part of the respondents, in considering the petitioner's representation for conduct of a gap analysis study for grant of Consent for Establishment to them to increase the treatment capacity/establishment of the second facility, as arbitrary and illegal.

2. In their representation dated 14.06.2018, all that the petitioner has stated is that a gap analysis study to be conducted; and, in case it is found that beds are increased in future above 10,000 in both the Districts, they would increase the treatment capacity or establish a second unit.

3. Sri G. Rama Chandra Rao, learned Standing Counsel for the Andhra Pradesh State Pollution Control Board, would fairly state that a gap analysis study, as per the Central Pollution Control Board Guidelines, would be conducted, and the entire exercise completed by the Andhra Pradesh State Pollution Control Board, within two (2) months from today.

4. In the light of the submission of the learned Standing Counsel that a gap analysis study would be conducted by the Andhra

Pradesh State Pollution Control Board, and as the petitioner merely seeks their representation dated 14.06.2018 to be considered, we see no reason to keep the writ petition pending on the file of this Court.

5. Suffice it, without expressing any opinion on the petitioner's entitlement for grant of increase in the bed strength, to direct the Andhra Pradesh State Pollution Control Board to consider their representation dated 14.06.2018 in accordance with law; and, after completion of the gap analysis study, to communicate their decision to the petitioner within four (4) weeks thereafter.

6. The Writ Petition is disposed of accordingly. No order as to costs. Miscellaneous Petitions, if any, pending in the writ petition stand closed.



THOTTATHIL B. RADHAKRISHNAN, CJ

RAMESH RANGANATHAN, J

Date: 12.07.2018
va/pv