

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

AND

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.24705 OF 2018

ORDER: *(Per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

We have heard the learned senior counsel appearing for the petitioner and the learned standing counsel for Andhra Pradesh State Pollution Control Board - respondent Nos.1 and 2.

2. Faced with an order of closure in terms of the pollution control laws, the petitioner moved this Court in an earlier occasion. It was relegated to make a representation to the competent authority in the Pollution Control Board against the closure order. According to the petitioner, its detailed representation was made after rectifications were carried out. The Pollution Control Board authorities have come out with the impugned decision to the effect that the so-called rectifications are insufficient to revoke the closure order. This is under challenge.

3. In hand is, fundamentally, an appeal against refusal to reopen a closed establishment following the closure order. The petitioner has efficacious alternate statutory remedy for redressal of its grievance against such a decision.

4. The aforesaid position, notwithstanding, different issues relatable to the quality of findings, particularly, on the basis of scientific inputs and other data, will call for consideration. This is a matter which should go in the first instance to the competent authorities in the hierarchy of appellate and revisional authorities under the relevant statutory provisions. This is the policy of law, in particular, in matters in the field of environment management. For this ground as well, we deem it inappropriate to exercise writ jurisdiction and entertain this matter.

5. For the aforesaid reasons, without prejudice to the petitioner seeking appropriate statutory remedies before the competent authorities in terms of the pollution control laws, this Writ Petition is dismissed without expressing anything on merits. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

RAMESH RANGANATHAN, J

July 18, 2018.

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