

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION Nos.33079 and 33080 of 2018

Common Order: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

These Writ Petitions are filed by the same person. She is the plaintiff in the Suit O.S. No. 465 of 2013 on the file of the learned Senior Civil Judge, Nalgonda. Through these Writ Petitions, she has challenged the proposal to hold public hearing by the Telangana State Pollution Control Board on the application of the private respondents to establish an industry.

2. Hearing the learned counsel for the petitioner and Sri P. Shiv Kumar, learned Standing Counsel for the Telangana State Pollution Control Board, we are of the view that mere pendency of O.S. No. 465 of 2013 with an interlocutory order therein, is no ground to deter the proposed public hearing by the competent authority. This is all the more so because, the question of title or other claims raised in O.S.No. 465 of 2013 by the petitioner herein would ultimately have its effect if she was to succeed in the Civil Suit.

3. The proposed public hearing will be conducted without reference to any question as of title or other allied matters, which are pending consideration in O.S. No. 465 of 2013. Similarly, that Suit will be decided without reference to any decision that would be taken by the competent authority under the provisions of the Environment Protection Act.

4. For the aforesaid reasons, while it will be open to the petitioner to participate in the public hearing, we see no reason to interfere with the proposal for public hearing.

5. In the result, these Writ Petitions fail. The same are, accordingly, dismissed without prejudice to the rights of the petitioner for participating in the public hearing, as noted above and subject to what is aforesaid.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

Date: 14th September, 2018

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