

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7168 OF 2017

ORDER:

In spite of issuing notice before admission, the respondents 2 to 4 have not filed their counter affidavit.

The petitioner states that he is a resident of Beat Colony of Nalgonda District and residing with his family members. It is the case of the petitioner that the fifth respondent established a flour mill and chilly powder mill in H.No.6-5-97, Beat Colony, Nalgonda District, in a residential locality. In spite of the request to the fifth respondent not to run the mill in the residential locality, the fifth respondent did not heed to the request. The petitioner, who is the neighbour, is unable to reside in the house due to air pollution and noise pollution. In those circumstances, the petitioner submitted a representation to the respondents 3 and 4 on 29.12.2015 along with the locality people and when no action was taken, the present writ petition was filed.

The fifth respondent filed a counter affidavit stating that the said mill was established in the year 2009 with a very small machine, that too in a small room covered with asbestos sheets and a pardah. No air pollution is being caused to run the mill. The air in the Nalgonda town was already polluted with cement companies, oil mills and vehicle pollution and he is not contributing anything more to the already polluted atmosphere. The petitioner constructed his house exactly on the compound wall of the fifth respondent without obtaining any permission from the concerned municipality. He has been running the said mill for a long time. He produced a copy of the licence fee issued to him for the year 2012-13.

In view of the allegations made by the petitioner with regard to running of the flour mill in a residential locality, it is for the respondents 3 and 4 to look into the said matter and take appropriate action. In the circumstances,

the respondents 3 and 4 are directed to inspect the flour mill that is being run in H.No.6-5-97, Beat Colony, Nalgonda District and verify whether the mill is being run under proper permission and proper authority of law and if it is not being run according to law, appropriate action would be taken against the fifth respondent in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

16.04.2018
pln

