

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

WRIT PETITION No.37923 OF 2018

Order : (Per Hon'ble Sri Justice S.V. Bhatt)

Heard Ms. Sridevi, learned counsel for the petitioner, Sri G. Ramachandra Rao, learned Standing Counsel for Andhra Pradesh Pollution Control Board and the learned Government Pleader for Industries and Commerce.

2. The petitioner complains inaction of respondents in considering and disposing of representations dated 23.10.2017, 17.9.2018 and 25.9.2018 as illegal, contrary to Environmental laws and unconstitutional. The petitioner, as it appears from the representations, is aggrieved by the establishment or operation of an industry by 7th respondent either in terms or pursuant to the consent order for establishment dated 13.6.2017. The grievance of the petitioner is that the consent for establishment or a few other statutory permissions have been granted without following the procedure prescribed by the Environmental laws and secondly without noticing the proximity of a few sensitive areas such as grazing land, garden etc. The petitioner has filed the representations 23.10.2017, 17.9.2018 and 25.9.2018 and these representations are neither attended to nor disposed of by the respondents. Hence, the Writ Petition.

3. We have heard the learned counsel and perused the record. *Prima facie*, this Court is of the view that the respondents ought to have looked into the grievance of the petitioner, afforded opportunity to petitioner as well as 7th respondent and passed orders as are

deemed fit in the circumstances of the case. The inaction now pointed out appears to be reasonable.

4. Therefore, the Writ Petition is disposed of by this order. The petitioner is given liberty to re-submit the representations by enclosing a copy of this order within three (3) weeks from today to all the respondents. The respondents are directed thereafter to consider the representations, if necessary conduct enquiry and pass orders within six (6) weeks after affording opportunity to 7th respondent as well.

As a sequel thereto, miscellaneous applications, if any, pending in the Writ Petition shall stand closed. There shall be no order as to costs.



THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

26th October, 2018.

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