

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.40214 OF 2018

Dated 9th November 2018

Between:

1. Erra Mallesham,S/o.Thirupathi and two others.

...Petitioners

And

1. The State of Telangana, rep.by Principal Secretary,
Panchayat Raj Department, Secretariat, Hyderabad and five
others.

...Respondents

The Court made the following:



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ORDER:

Petitioners claim to be the residents of Gollapalli Village in Jagtial District. The sixth respondent, who is the neighbour of the petitioners, is proposing to construct a Boiled Rice Mill in the adjacent property. Petitioners objected for such construction contending that it would lead to air and water pollution and it would effect the cultivation capacity of their lands. Though the petitioners filed their objections, respondents 3 and 4 issued no objection certificate. Aggrieved by the same, the petitioners filed appeal before the District Collector, Jagtial. Aggrieved by the action of the sixth respondent in continuing with the construction activity and alleging inaction on the appeal filed by the petitioners, this Writ Petition is filed.

2. According to the learned Standing Counsel for Gram Panchayat, Grama Sabha was held on 20.10.2018 and as per the resolution passed in the Grama Sabha, no objection certificate was issued by following the procedure as required.

3. Having regard to the fact that appeal is pending before the District Collector, Jagtial, without expressing any opinion on merits, this Writ Petition is disposed of directing the District Collector, Jagtial to examine the appeal preferred by the petitioners and decide the same, by putting the sixth respondent on notice, as expeditiously as possible, preferably

within a period of eight (8) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(P.NAVEEN RAO, J)

9th November 2018
RRB

