

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
And
HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION.23366 OF 2019

ORDER(Per Hon'ble Sri Justice P.Naveen Rao)

1. Heard Sri V.B.Subrahmanyam, learned counsel for petitioner, learned Government Pleader for Forest for respondent no.1, Sri P.Shiva Kumar, learned standing counsel for State Pollution Control Board for respondents 2 to 4, and R.Vinod Reddy learned standing counsel for State Southern Power Distribution Company Limited for respondent no.5.

2. The petitioner's industry was established in the year 2016 and engaged in cold storage services for meat and meat products. On 10.09.2018 Telangana State Pollution Control Board passed closure orders pointing out several deficiencies in running of the unit and causing pollution. Thereafter, the petitioner reported to the Pollution Control Board that the objections were attended to and complied and therefore, requested to revoke the closure order. On 25.09.2018 the Board conducted inspection and found that there are several deformities in running of the unit and therefore, unit cannot be permitted to run. Task Force Committee meeting was held on 14.3.2019 wherein again deficiencies are pointed out.

3. Learned counsel for the petitioner submits that the objections raised by the board were rectified and again reported to the board informing them that deficiencies pointed out by the board are attended, by way of representation dated 21.10.2019. Alleging inaction on such representation, this writ petition is filed.

4. Having regard to the fact the board has raised objections on the running of the unit and declined to lift the closure orders and

that the petitioner stated to have reported that objections are attended to, it is for the board to conduct a fresh inspection and verify whether the objections earlier noticed by the board are complied, and to pass appropriate orders on the request of petitioner for lifting of closure orders. At this stage, learned counsel sought to contend that since power supply is disconnected the performance of ETP cannot be ascertained, unless the power supply is restored and therefore, seeks direction to Distribution Company to restore power supply. We are not inclined to grant such relief at this stage. However, it is open to the petitioner to make arrangements for providing generator which can supply power for operation of ETP.

5. Learned counsel representing Pollution Control Board informs the Court that whenever date is fixed, the board will conduct inspection. With mutual consent, on 06-11-2019 at 11.00 am officials of the board may inspect the premises in the presence of petitioner. The petitioner shall be present on the day and time mentioned above.

6. Accordingly, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

P.NAVEEN RAO,J

Dt.: 01-11-2019

Note: Issue CC by 04-11-2019.

B/o.
Nvl