

**THE HON'ABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION No.161 OF 2020**

**Dated:09.01.2020**

**Between:**

D.Radha Krishna,  
S/o Sri D.Rajender Yadav,  
Aged about 21 years, occ:Business,  
R/o H.No.11-13-533,  
Street No.4, Yadav Nagar Colony,  
Saroornagar, L.B.Nagar,  
Ranga Reddy District, Hyderabad.

...Petitioner

And

The State of Telangana,  
Rep.by its Principal Secretary,  
Department of Municipal Administration  
and Urban Development  
Secretariat, Hyderabad and others.

...Respondents



This Court made the following:

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**ORDER:**

Heard learned counsel for the petitioner and the learned Standing Counsel for the 2<sup>nd</sup> respondent-Municipal Corporation.

2. Petitioner is challenging the notice issued on 16.11.2019 directing him to shift the livestock outside the city premises within one week.

3. Learned counsel for petitioner contends that the impugned notice issued was not preceded by a prior notice and opportunity of hearing of the petitioner and straightaway decision is made causing lot of hardship and suffering to the petitioner. According to the learned counsel for the petitioner, the premises, in which the buffalos and cows are maintained by the petitioner is his own house and he is not causing any nuisance or inconvenience to any neighbour in the locality. Further, these buffalos and cows are being maintained in the said premises for a long time. He further submits that there are several other persons in the locality, who are running similar dairy farms in their respective premises.

4. From the impugned notice, it is seen that the petitioner is having 20 buffalos. According to the learned counsel for the petitioner, there are 4 cows also. So, it is nothing but a dairy farm being run by the petitioner in the midst of the residential locality. Sections 407, 510 and 511 of the Greater Hyderabad Municipal Corporation Act, 1955, prohibits keeping of animals within the residential area and in the public utility places. The impugned

notice was issued strictly in compliance with the said provisions. Though learned counsel for the petitioner sought to contend that it was not preceded by an opportunity of hearing the petitioner, he does not dispute that petitioner has 20 buffalos, as mentioned in the notice, and running of dairy farm in the premises of the petitioner in the midst of residential locality. That being so, there is no error in the impugned notice issued by the authorities concerned. It cannot be said that maintenance of a dairy farm in the midst of residential locality would not cause any inconvenience or hardship to the neighbours thereby permitting the petitioner to continue to run the dairy farm in the same premises.

5. At this stage, learned counsel for the petitioner requests six (6) months time, to make an alternative arrangement to shift the dairy farm, as time granted in the impugned notice is not sufficient. However, learned Standing Counsel appearing for the 2<sup>nd</sup> respondent would submit that time sought for by the petitioner is on the higher side.

6. Having regard to the claim made by the petitioner with reference to the time frame and having regard to the fact that there is existing dairy farm being run by the petitioner, the petitioner is granted three (3) months time from today to take steps to re-locate the buffalos and cows. Till re-location/shifting of the animals, the petitioner shall give an undertaking that he would maintain cleanliness of the premises and he shall ensure that no nuisance is caused to the neighbours. Till expiry of time granted above, no coercive action shall be taken against the petitioner. But,

however, the competent authority shall ensure that cleanliness is being maintained by the petitioner in dairy farm.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

**9<sup>th</sup> January, 2020**

**YVL**

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**P. NAVEEN RAO, J**



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**YVL**