

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 4262 OF 2025

Between:

1. Mr Kotada Apparao, S/o Atchi Babu, aged about 62 Years, R/o. Mamidipalli Village, Anakapalli Mandal, Visakhapatnam District, Andhra Pradesh.
2. Kotada Samba Murthy, S/o Atchi babu, aged about 61 years, R/o. Mamidipalli Village, Anakapalli Mandal, Visakhapatnam District, Andhra Pradesh.

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary (Industries and Mines Department), Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.
2. The Director, Mines and Geology Department, Ibrahimapatnam, Vijayawada, NTR District, Andhra Pradesh.
3. The Andhra Pradesh Pollution Control Board, Moghalrajapuram, Vijayawada, NTR District, Andhra Pradesh, Represented by its Member Secretary.
4. The Andhra Pradesh Pollution Control Board, Regional Office at Udyog Bhavan Complex, Siripuram Junction, Visakhapatnam, Andhra Pradesh.
5. The Joint Chief Environmental Engineer, Pollution Control Board, Zonal Office at Madhurawada, HUDA Layout, Visakhapatnam, Andhra Pradesh.

6. The District Collector, Anakapalli District, Andhra Pradesh.
7. The Tahsildar, Anakapalli Mandal, Anakapalli District, Andhra Pradesh.
8. The Mamidipalem Gram Panchayat, Mamidipalem Village, Anakapalli District, Andhra Pradesh, Represented by its Village Secretary.
9. M/s. Anjana Stone Crusher, at Sy. No. 120 and 121, Mamidipalem Village, Anakapalli District, Andhra Pradesh, Represented by its Proprietor, Mareddy Singa Reddy.

Respondents

WHEREAS the Petitioner above named through their Advocate SRI N NAGARAJA KAPOOR presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents more particularly respondents 2 to 5 herein in not taking action against the 9th respondent for his illegal operation of the stone crusher without taking any precautionary as per the policy of the respondents 3, 4 and 5 herein and also in not considering the representations of the petitioners dated 21.02.2017, 14.03.2017, 25.11.2024 as well as the representation of the 8th respondent Grampanchayat dated 02.12.2024 to the 6th respondent along with other respondents for closing the crushing unit as illegal arbitrary and also oppose to Article 14 and 21 of the Constitution of India as well as oppose to all cannons of justice and also oppose to right to life guaranteed by the Constitution of India consequentially direct the respondents to take stringent action against the 9th respondent by considering the representations of the petitioners dated 21.02.2017, 14.03.2017, 25.11.2024 as well as the representation of the 8th respondent Grampanchayat dated 02.12.2024 to the 6th respondent for closing of the crushing unit run by the 9th respondent forthwith.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri N NAGARAJA KAPOOR Advocate for the Petitioner, and of Government Pleader for Mines

and Industries for respondent Nos.1 and 2, and of Government Pleader for Revenue, for Respondent Nos. 6 and 7, and of Sri Y.Soma Raju, Standing counsel for Pollution Control Board for respondent Nos.3 to 5, and of Sri Y.Koteswara Rao, Standing Counsel for respondent No.8, directed issue of notice to the unofficial respondent No.9 returnable within two weeks herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Proprietor, Mareddy Singa Reddy, M/s. Anjana Stone Crusher, at Sy. No. 120 and 121, Mamidipalem Village, Anakapalli District, Andhra Pradesh.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 17.03.2025, on which date the case stands posted for hearing

The Court made the following: ORDER

"Learned counsel for the petitioners is present.

Learned Government Pleader for Mines and Industries takes notice for respondent Nos.1 and 2.

Sri Y.Soma Raju, learned Standing counsel for Pollution Control Board takes notice for respondent Nos.3 to 5.

Learned Government Pleader for revenue takes notice for respondent Nos.6 and 7.

Sri Y.Koteswara Rao, learned Standing Counsel takes notice for respondent No.8.

Issue notice to unofficial respondent No.9 returnable within two weeks.

Learned counsel for the petitioners is permitted to take out personal notice to unofficial respondent No.9 by R.P.A.D and file proof of service in the Registry.

List the matter on 17.03.2025."

Sd/- V. SAVITRI GOWRI
AS ASSISTANT REGISTRAR

//TRUE COPY//

For ASS

SECTION OFFICER

To,

1. The Proprietor, Mareddy Singa Reddy, M/s. Anjana Stone Crusher, at Sy. No. 120 and 121, Mamidipalem Village, Anakapalli District, Andhra Pradesh. (by RPAD)
2. One CC to SRI. N NAGARAJA KAPOOR, Advocate [OPUC]
3. Two CCs to Government Pleader for Mines and Industries, High Court Of Andhra Pradesh. [OUT]
4. Two CCs to Government Pleader for Revenue, High Court Of Andhra Pradesh. [OUT]
5. One CC to Sri Y.Soma Raju, Standing Counsel, High Court of Andhra Pradesh [OPUC]
6. One CC to Sri Y.Koteswara Rao, Standing Counsel, High Court of Andhra Pradesh [OPUC]
7. One spare copy

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HIGH COURT

KM,J

DATED:03/03/2025

List the matter on 17.03.2025

NOTICE BEFORE ADMISSION

WP.No.4262 of 2025

