



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3458]

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 35686 OF 2025

Between:

1.M HEMADRI NAIDU, S/O. LATE M. ANJINEYULU NAIDU AGE 50 YEARS, CHERLOPALLI VILLAGE, PULIKALLU POST, PENUMUR MANDAL,CHITTOOR DISTRICT- 517126.

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT-522238.

2.THE DISTRICT COLLECTOR, CHITTOOR DISTRICT, CHITTOOR-517002.

3.THE REVENUE DIVISIONAL OFFICER, CHITTOOR DISTRICT, CHITTOOR-517002.

4.THE TAHSILDAR, PENUMUR MANDAL, CHITTOOR DISTRICT-517126.

5.M THULASIRAM Naidu, S/O. M NARASIMHULU NAIDU AGED ABOUT 44 YEARS R/O H NO 4-59 CHERRLOPALLI, VILLAGE, PULIKALLU POST, PENUMUR MANDAL, CHITTOOR DISTRICT-517126.

...RESPONDENT(S):

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 topleased to issue an appropriate Writ, Order or Direction more

particularly in the nature of Writ of Mandamus to declare the action of the 4th respondent/ Thashildar, Penumur Mandal and his subordinates in causing obstruction to the functioning of PHP Bricks Industry, located in Sy.No.381 of Pulikallu Revenue village and Panchayath, Penumur Madal, Chittor District run by the petitioner without any authority of law and even before he submitted his explanation on 24-12-2025 to the Notice-II in Roc. A/01/2025 Dt. 15-12-2025 issued by the 4th respondent as illegal, arbitrary, violative of principles of natural justice and Articles. 15 and 300-A of Constitution of India and in violation of the GOMs.No.80 Dt.22-04-2010 issued by the State Government in the interests of justice and to pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th respondent and his subordinates not to interfere with the functioning/ running of "PHP Bricks Industry" located in Sy.No.381 of Pulikallu Revenue village and Panchayath, Penumur Madal, Chittor District by the petitioner pending disposal of the above writ petition and to pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased Hon'ble Court may be pleased to permit the petitioner to implead himself as Respondent No.5 in W.P.No. 35686 of 2025 and also in the IAs and pass such other order or orders

Counsel for the Petitioner:

1.M CHALAPATI RAO

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following order:

Heard Sri M.Chalapati Rao, learned counsel for the petitioner, Sri T.Sanjeeva Rao, learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4 and Sri J.M.Naidu, learned counsel for respondent No.5.

2. The grievance of the petitioner in the instant writ petition is against the action of the respondents in causing obstruction to the functioning of petitioner's Bricks Industry, located in Sy.No.381 of Pulikallu Revenue Village and Panchayath, Penumur Mandal, Chittoor District.

3. It is contended that the petitioner is the proprietor of a Brick Kiln, namely "PHP Bricks Industry." He has been running the same since the year 2023 after obtaining a license from the appropriate authority. However, the 4th respondent issued a notice dated 08.12.2025 directing the petitioner to appear before him on 11.12.2025 at 11:00 AM and submit an explanation. Accordingly, the petitioner has submitted his explanation on 11.12.2025 along with supporting documents to show that all necessary permissions and licenses required to run the brick Kiln were obtained. Thereafter, a notice in Form-II dated 15.12.2025 was issued to the petitioner directing him to submit a further explanation by 24.12.2025, without passing any orders on the earlier explanation.

4. After issuing the said notice, as the 4th respondent has been interfering with the petitioner's business without passing any order on the notice issued, on the said circumstances, being aggrieved by the action of the 4th respondent, the writ petition is filed.

5. Today, when the matter was taken up for consideration, the learned Assistant Government Pleader for Revenue placed before this Court a copy of the written instructions received from the 4th respondent, dated 20.12.2025. A

perusal of the same would reflect that a complaint was made in the Public Grievance Redressal System (PGRS) by one Sri M.Thulasiram Naidu, alleging violations in the maintenance and operation of a brick kiln operated by the petitioner.

6. It further reflects that the Tahsildar, while considering the said grievance, issued a notice to the petitioner. The petitioner appeared and submitted his explanation on 11.12.2025. Simultaneously, the petitioner sought copies of the documents filed in the PGRS web portal, as well as the enquiry reports submitted by the Village Surveyor, Village Revenue Officer, Mandal Revenue Inspector, Penumur Mandal. The information sought by the petitioner was furnished, and he was directed to appear before the 4th respondent on 24.12.2025. However, without complying with the said notice, the petitioner approached this Court by way of the present writ petition.

7. It is further stated that the petitioner's brick kiln is located less than 1 KM radial distance from the nearest habitation, which is in violation of Point No. 2(a) of G.O.Ms.No.80, EFS&T Department, dated 22.04.2010.

8. Information furnished under RTI Act issued by the Panchayat Secretary has also been placed before this Court. A perusal of the same reflects that "No Objection Certificate" was never issued either in the name of the petitioner or the proprietor concern of the petitioner.

9. The contention of the petitioner is that the 4th respondent is interfering with the operation of the brick kiln. He places reliance on G.O.Ms.No.80 dated

22.04.2010 and contends that the brick industry is not one of the scheduled industries under the provisions of Air (Prevention & Control of Pollution) Act, 1981.

10. Considered the submissions.

11. It is to be observed that the Tahsildar, while dealing with the grievance made against operation of the brick kiln, issued notice to the petitioner, which cannot be found fault with, as the grievance of the petitioner that the respondents are unauthorizedly interfering with its operation is unfounded.

12. Accordingly, the writ petition is disposed of with a direction to the 4th respondent to pass appropriate orders on the enquiry initiated pursuant to the said proceedings, in accordance with law, after affording due opportunity of hearing to the petitioner as well as Respondent No.5.

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

As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date: 06.05.2026
BSK

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Date: 06.05.2026
BSK