



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)
MONDAY, THE FIFTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY

: PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI JITENDRA KUMAR MAHESHWARI
AND
THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI
WRIT PETITION NO: 16046 OF 2020

Between:

M/s.PVR Chalapathi Metal Industries Office, at Plot No.201, 2nd Lane, Rajendranagar, Guntur, Guntur District Andhra Pradesh, Rep.by its Proprietor Sri P.Venkateswara Rao S/o.Sri P.Chalapathi Rao, Hindu, aged 56 years

Petitioner

AND

1. The A.P.Pollution Control Board, Door No.33-26-14 D/2 Near Sunrise Hospital, Near Pushpa Hotel Chalamalavari Street, Kasturibaipeta, Vijayawada - 520 010 Krishna District, AP Rep.by its Member Secretary
2. The Environmental Engineer (, FAC) A.P.Pollution Control Board Regional Office, Navabharat Nagar, Ring Road, Guntur, Guntur District, Andhra Pradesh
3. The Joint Chief Environmental Engineer, Zonal Office, Gurunanak Nagar, Main Road, Vijayawada, Krishna District, Andhra Pradesh

Respondents

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, order or direction more particularly one in the nature of a writ of mandamus declaring the Notice No.G-2336/APPCB/RO-GNT/2020-390 Dt.14-08-2020 issued by the 2nd respondent by levying Environmental Compensation for the alleged non-compliance of environmental norms under the threat of issuing Closure Order for quarrying Road Metal in Sy.No.111(P), Chinapalakaluru Village, Guntur Rural Mandal, Guntur District, Andhra Pradesh and also to launch prosecution as highly illegal, arbitrary exercise of power, violative of principles of natural justice and without jurisdiction and consequently to set aside the same.

IA NO: 1 OF 2020

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 grant stay of all further proceedings in pursuance of the Notice No.G-2336/APPCB/RO-GNT/2020-390 Dt.14-08-2020 issued by the 2nd respondent, pending disposal of Writ Petition No.16046 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and Order of the High Court dated 09-09-2020 and made herein and upon hearing the arguments of Sri.K.Chidambaram, learned Counsel appears for Ms.M.S.Tirumala Rani, Advocate for the Petitioner, the Court made the following

ORDER:

(taken up through video conferencing)

Sri K.Chidambaram, learned counsel representing Smt.M.S.Tirumala Rani, learned counsel, appears on behalf of the petitioner.

Sri V.Surendra Reddy, learned standing counsel for A.P. Pollution Control Board, appears on behalf of the respondents.

Let counter-affidavit be filed by the respondents within six weeks.

List after six weeks along with W.P.No.15774 of 2020 and batch.

Interim order, passed earlier, shall remain in operation till the next date of listing.

Sd/- A. Surya Prakasa Rao
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Ms. M.S.Tirumala Rani, Advocate [OPUC]
2. One CC to V.Surendra Reddy, Standing Counsel for A.P. Pollution Control Board
3. Two spare copies

SP

HIGH COURT

HCJ & LKJ

DATED: 05/10/2020

NOTE: LIST AFTER SIX WEEKS ALONG WITH W.P.NO.15774 OF 2020 AND BATCH.

ORDER

WP.No.16046 of 2020

EXTENSION OF INTERIM ORDER

