

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 25906 OF 2024

Between:

Sri Anand Dayama, S/o: Sri Ramavtar Dayama, Age. 32 years
Occ. Business, R/o 3- 4 -512/22, Amarkunj Barkatpura, Hyderabad

...PETITIONER

AND

1. State Of Telangana, Represented by its Principal secretary Municipal Administration and Urban Development Secretariat, Hyderabad
2. Greater Hyderabad Municipal Corporation, Rep. by its Commissioner Lower Tank Bund, Hyderabad
3. The Commissioner of Police, Cyberabad, Hyderabad
4. The Station House Officer, Raidurg Police Station Raidurg, Hyderabad
5. The Secretary, Telangana State Pollution Control Board Paryavaran Bhavan, Sanath Nagar Hyderabad
6. Red Rhino Pub, Represented by its authorized person Western Dallas Centre Ground and First Floor Sy. No. 83/1, Raidurg village Serilingampally Mandal, Ranga Reddy District
7. Post Card Restaurant and Global Tapas Bar, Represented by its authorized person Western Dallas Centre Ground and First Floor Sy. No. 83/1, Raidurg village Serilingampally Mandal, Ranga Reddy District
8. Mr. Dayakar Rao, S/o: Not known to the Petitioner Age. major, Occ. Business, R/o 2007, Block-4. My Home Avatar Narsingi, Hyderabad
9. Mr. Sudarshan Reddy, S/o: Not known to the Petitioner Age. Major, Occ. Business, R/o C/o Western Constructions, Sy. No. 13, Western Pearl Hitech city Main Road, Kondapur, Hyderabad.
10. The State of Telangana, Rep. by its Principal Secretary, Environment Forest, Science and Technology, Dr. B.R. Ambedkar Secretariat, Hyderabad.

...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 in the nature of MANDAMUS by declaring the inaction on the part of the Official Respondents in taking action on the complaints of the Petitioner and in closing down the 6th and 7th Respondents for their continuous noise pollution disturbing the peace and tranquility in the complex and also allowing the 6th and 7th Respondents to run their Pubs in gross violation of the permissions which are issued to them and declare the said inaction as illegal and nonest in law and consequently direct the Official Respondents to forthwith withdraw all the licenses and permissions issued to 6th and 7th Respondents and further direct the Official Respondents to close 6th and 7th Respondent as they are functioning contrary to provisions under which they are issued licenses and also functioning contrary to The Noise Pollution (Regulation and Control) Rules, 2000 and The Environment (Protection) Act, 1986.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Official Respondents to forthwith close the 6th and – 7th Respondents as they are creating noise pollution in gross violation of Laws and Rules and Permissions disturbing other occupants of Western Dallas Centre building situated at Sy. No. 83/1, Raidurg village, Serilingampally Mandal, Ranga Reddy District.

**Counsel for the Petitioner: SRI SUNIL B. GANU, REPRESENTING
MS. MANJARI S GANU**

**Counsel for the Respondent No.1: SRI MOHD. IMRAN KHAN,
ADDITIONAL ADVOCATE GENERAL FOR THE STATE**

Counsel for the Respondent Nos.3 and 4: GP FOR HOME

**Counsel for the Respondent No.2: MS. SARWATH MEHDI KHAN, APPEARING
FOR SRI M.A.K. MUKHEED, SC FOR GREATER HYDERABAD MUNICIPAL
CORPORATION**

**Counsel for the Respondent No.5: SRI ZEESHAN ADNAN MAHMOOD,
SC FOR TELANGANA STATE POLLUTION CONTROL BOARD**

**Counsel for the Respondent Nos.6 and 7: SRI A. VENKATESH, LEARNED
SENIOR COUNSEL REPRESENTING FOR PASHAM MOHITH**

**Counsel for the Respondent Nos.8 and 9: MS. SHIVANI REDDY DEPA,
APPEARING FOR M/S RESU LAW OFFICE**

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.25906 of 2024

ORDER: (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. Sunil B. Ganu, learned Senior Counsel represents
Ms. Manjiri S. Ganu, learned counsel for the petitioner.

Mr. Mohd. Imran Khan, learned Additional Advocate
General appears for the State.

Ms. Sarwath Mehdi Khan, learned counsel appears for
Mr. M.A.K. Mukheed, learned Standing Counsel for Greater
Hyderabad Municipal Corporation, for respondent No.2.

Mr. Zeeshan Adnan Mahmood, learned Standing
Counsel for Telangana State Pollution Control Board appears
for respondent No.5.

Mr. A. Venkatesh, learned Senior Counsel represents
Mr. Pasham Mohith, learned counsel for respondent Nos.6 and
7.

Ms. Shivani Reddy Depa, learned counsel appears for
M/s. Resu Law Office, learned counsel for respondent Nos.8
and 9.

2. In this Writ Petition, the petitioner *inter alia* has prayed for a direction to the official respondents to withdraw the licenses issued to respondent Nos.6 and 7. The petitioner in addition has sought a direction to the official respondents to close the establishments of respondent Nos.6 and 7 on the ground that they are causing noise pollution and are operating the establishments in violation of the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 (hereinafter referred to as 'the Rules, 2000') as well as the Environment (Protection) Act, 1986.

3. Learned Senior Counsel for the petitioner fairly submits that in view of the interim order dated 20.09.2024 passed by this Court, the police have registered four (4) First Information Reports against respondent Nos.6 and 7 and charge sheets have been filed. It is further pointed out that the equipments used by respondent Nos.6 and 7 causing noise pollution have also been seized. Learned Senior Counsel further submits that the petition may be disposed of with the direction to the authorities of the State Government to ensure that respondent

Nos.6 and 7 do not create any noise pollution and adhere to the provisions of the Rules, 2000.

4. Learned Additional Advocate General submits that the authorities shall take suitable action to ensure that the provisions of the Rules, 2000, are not violated.

5. In view of aforesaid submissions and in the facts and circumstances of the case, no further order is required to be passed in the Writ Petition. However, the official respondents shall ensure that respondent Nos.6 and 7 adhere to the Rules, 2000, and carry their operations in accordance with law. Liberty is also reserved to the petitioner to take an action for recovery of damages, if so advised.

6. Accordingly, the Writ Petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

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**SD/-L. VIJAYA LAXMI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal secretary Municipal Administration and Urban Development Secretariat, State Of Telangana, Hyderabad
2. The Commissioner Greater Hyderabad Municipal Corporation, Lower Tank Bund, Hyderabad
3. The Commissioner of Police, Cyberabad, Hyderabad
4. The Station House Officer, Raidurg Police Station Raidurg, Hyderabad
5. The Secretary, Telangana State Pollution Control Board Paryavaran Bhavan, Sanath Nagar Hyderabad

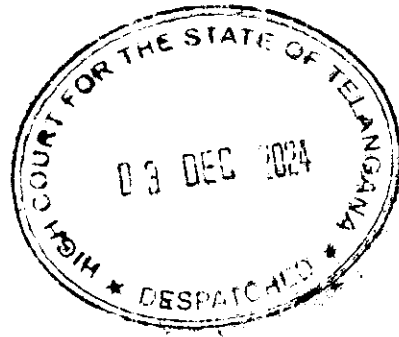
6. The authorized person Western Dallas Centre Ground and First Floor Sy. No. 83/1, Raidurg village Serilingampally Mandal, Red Rhino Pub, Ranga Reddy District
7. The authorized person Western Dallas Centre Ground and First Floor Sy. No. 83/1, Post Card Restaurant and Global Tapas Bar, Raidurg village Serilingampally Mandal, Ranga Reddy District
8. The Principal Secretary, Environment Forest, Science and Technology, Dr. B.R. Ambedkar Secretariat, The State of Telangana, Hyderabad.
9. One CC to Sri Manjari S Ganu, Advocate [OPUC]
10. One CC to Sri M.A.K Mukheed, SC for Greater Hyderabad Municipal Corporation[OPUC]
11. One CC to Sri Pasham Mohith, Advocate[OPUC]
12. One CC to M/s. Resu Law Office, Advocates[OPUC]
13. One CC to Sri Zeeshan Adnan Mahmood, SC for Telangana State Pollution Control Board[OPUC]
14. Two CCs to GP for Municipal Administration Urban Development, High Court for the State of Telangana, at Hyderabad [OUT]
15. Two CCs to The GP for Home, High Court for the State of Telangana, at Hyderabad[OPUC]
16. Two CCs to The Additional Advocate General, High Court for the State of Telangana, at Hyderabad[OPUC]
17. Two CD Copies

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(ep)

HIGH COURT

DATED:22/11/2024



ORDER

WP.No.25906 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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