

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI

Original Application No.100 of 2022

IN THE MATTER OF:

Akula Satish ,Telangana

...Applicant

-Vs-

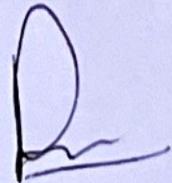
State of Telangana & 11 Others

...Respondents

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Date : 16.01.2023



COUNSEL FOR 8th RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERNZONE, CHENNAI
ORIGINAL APPLICATION No. 100 of 2022**

IN THE MATTER OF

Akula Satish ,Telangana

...Applicant

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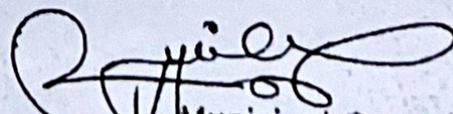
State of Telangana & 11 Others

...Respondents

COUNTER FILED BY THE RESPONDENT No.8

I, Poleboina Bhogishwarlu, S/o. Kondapani, aged about 55 years, working as Commissioner, Dundigal Municipality do hereby solemnly affirm and sincerely state as follows.

1. I am filing this counter statement on behalf of the 8th respondent. I am well acquainted with the facts of the case from the records and as such I am competent to file this counter before this Hon'ble Tribunal. This respondent denies all the allegations and averments contained in the above O.A.100 of 2022 except those that are specifically admitted herein.
2. It is submit that Mr. Akula Satish S/o. A.Lingaiah has filed OA No.100 of 2022 before the Hon'ble National Green Tribunal, Chennai that encroachments in Visukavani Cheruvu Lake, situated at Shambipur Village, Dundigal-Gandimysamma Mandal, Medchal-Malkajgiri District.
3. It is submit that a representation dated 08.11.2021 from Mr. Akula Satish was submitted to the Executive Engineer, Division No. 1, Hyderabad regarding encroachments in Visukavani Cheruvu Lake, situated at Shambipur Village, Dundigal-Gandimysamma Mandal, Medchal-Malkajgiri District, wherein the Deputy Executive Engineer, I & CADD, Irrigation - Sub-Division


Municipal Commissioner

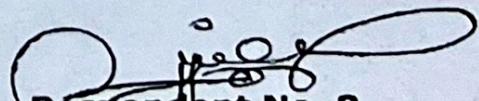
- No.3, Medchal stated that the new Visukavani Cheruvu belongs to Khajipalli Village of Jinnaram Mandal, but its FTL land falls in Gandimysamma-Dundigal Mandal. Further It is stated that the Tahsildar, Gandimysamma-Dundigal Mandal is requested to initiate the joint inspection of revenue and Irrigation officials.
4. Further it is submitted that the joint inspection was conducted on 15-11-2021 along with the concerned Irrigation and revenue officials of Jinnaram Mandal, Sangareddy District. During the inspection it was observed that the illegal constructions were progressed in FTL of new visukavani cheruvu, Jinnaram Mandal, Sangareddy District. Therefore, the concerned AEE, Jinnaram Mandal had lodged complaint in P.S. IDA Bollaram and the same was registered vide FIR No. 165/2021, dated 13-11-2021.
5. It is submit that the EE, Medchal, Irrigation Division vide letter dated 03-12-2021 requested the Revenue Divisional Officer, Malkajgiri Division, Medchal-Malkajgiri District and the Commissioner, Dundigal Municipality to serve notices to the land owners/encroachers for removing the villas which are constructed in Survey Numbers 18, 19, 20 which comes under the revenue jurisdiction of Gandimysamma-Dundigal Mandal which is part of FTL of New Viska Cheruvu, Kajipally Village, Jinnaram Mandal, Sanga Reddy District. DEE, I & CADD, Irrigation Sub Division Paton cheruvu, Sanga Reddy District was instructed to take immediate action on encroachments in co-ordination with the Tashildar, Dundigal-Gandimysamma Mandal and the Commissioner, Dundigal Municipality and serve the notices to land grabbers/land owners/encroachers.
6. It is submit that accordingly letter dated 21-12-2021 was sent to the Additional Collector (ULB), Medchal stating that the Irrigation department lakes and Tahsildar, Dundigal-Gandimysamma have to take necessary action to clear the



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Dundigal Municipality

encroachments within the FTL of Viskavani Cheruvu.

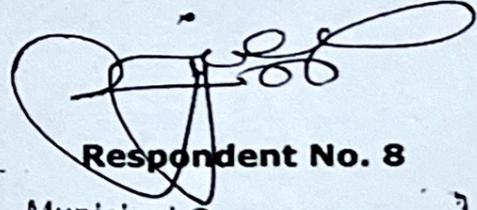
7. Further it is submitted that a notice dated 21-12-2021 was sent to Sri Dodda Srikanth Reddy, JNS Infrastructure, Hyderabad directing them to immediately stop the construction activity.
8. It is submit that as per the survey conducted at Mandal Girdawar, Dundigal- Gandimysamma Mandal, it was observed that totally (3.31 Gts) land area is encroached in Survey Nos. 18, 19 and 20 in Mallampet Village, New Viska Cheruvu, out of total extent of 16.25 acres. The land to an extent of (0.02 Gts) is encroached in FTL and (0.04 Gts) is affected under buffer zone in Sy No. 19 and the land to an extent of (0.01 Gts) is encroached in FTL and (0.10) is encroached in buffer zone in Survey No.20 of Mallampet Village, a copy of location sketch of Sy Nos. 19 & 20 of Mallampet village is enclosed (**Annexure-1**)
9. It is submit that the Dundigal Municipality had taken timely action duly addressing letters to the concerned departments and moreover, the total area of New Viskavani Cheruvu is 16.25 acres and out of which only 3.31 acres are covering under the jurisdiction of Dundigal Municipality. But since the encroachments are within the FTL limit the Revenue & Irrigation department, Govt of Telengana has to take further steps and clear the encroachments.
10. It is therefore prayed that the Hon'ble Tribunal may be pleased to pass appropriate order or orders as this Hon`ble Tribunal may deem fit and proper in the circumstances of the case.


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Dundigal Municipality

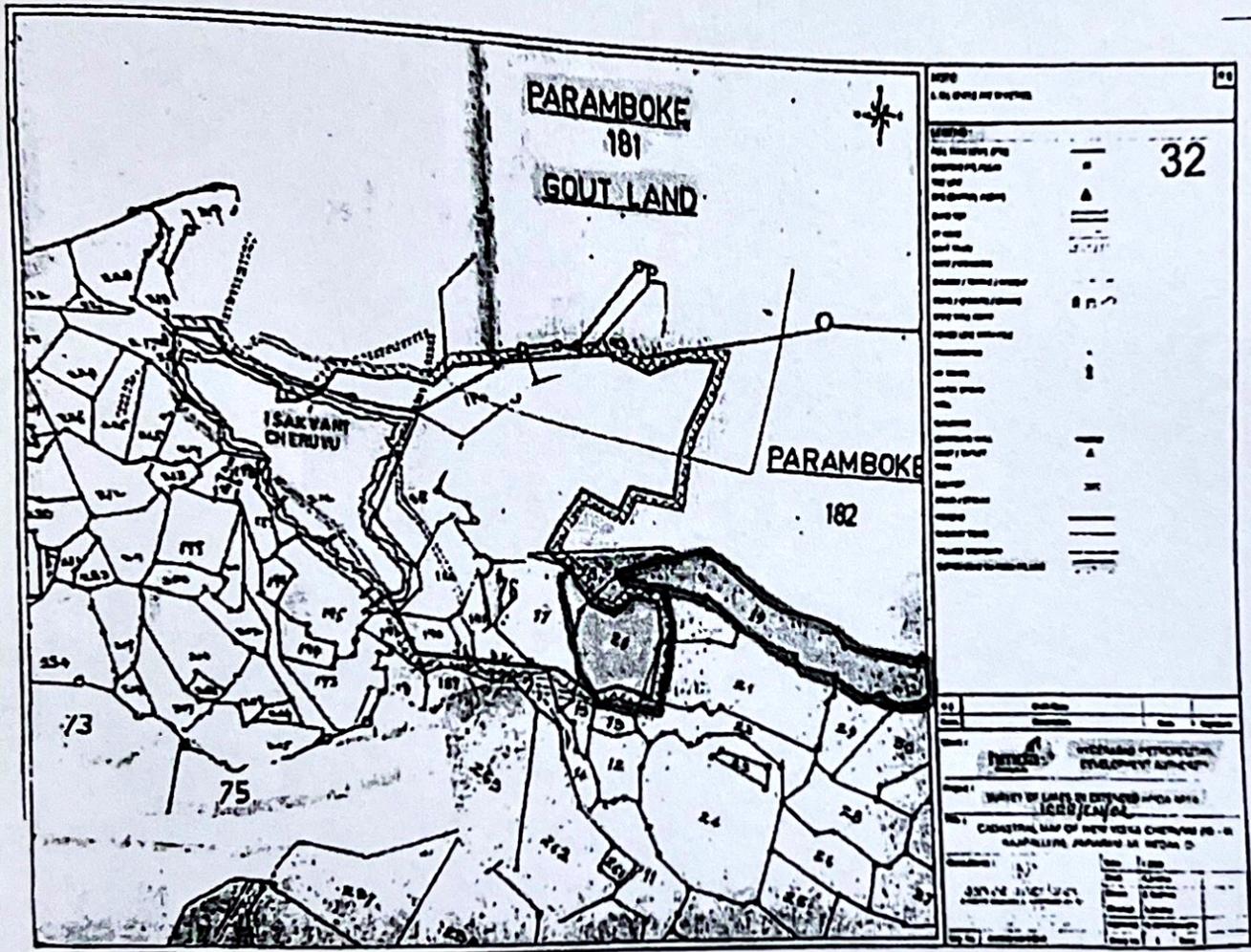
VERIFICATION

I, Poleboina Bhogishwarlu S/o Kondapani , aged 55 years, Municipal Commissioner, Dundigal Municipality, Mandal, Medchal District, Telangana do hereby verify and declare that the contents stated in the above reply statement are true and correct to the best of my knowledge and belief. Hence, verified on this the 21th day of November 2022, at Dundigal, Medchal District.

**Respondent No. 8**

Municipal Commissioner
Dundigal Municipality

ANNEXURE-1



[Handwritten Signature]

Municipal Commissioner
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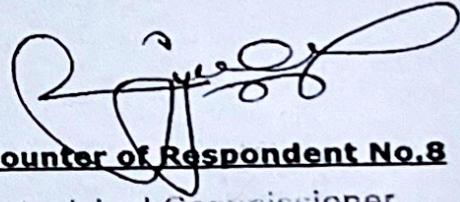
**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
(SZ) CHENNAI**

ORIGINAL APPL No.100 of 2022

**Akula Satish, Telangana
...Applicant**

-Vs-

**State of Telangana
& 11 Others
...Respondent**



Counter of Respondent No.8

**Municipal Commissioner
Dundigal Municipality**

**D.Sreenivasan (158/94)
V.Jalharisudhan(3245/16)**

Counsel for 8th Respondent

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