

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

Original Application No. 121 of 2022

1. D.Ramesh,
So.D.Anjaneyalu,
R/o H.No.1-63, Perikaveedu,
Kolkonda Mandal, Mahaboob Nagar District,
Telangana – 509204.
2. Magbavath Manemma,
W/o.Gobriya Nayak,
Perikaveedu Thanda,
Kolkonda Mandal, Mahaboob Nagar District,
Telangana – 509204.
3. Vadithya Krishna,
S/o.Vaditya Chandar Naik,
R/o H.No.2-83, Perikaveedu Thande,
Kolkonda Mandal, Mahaboob Nagar District,
Telangana – 509204.

Appellants

Vs

1. State of Tegangana,
Rep, by its Chief Secretary,
Secretariat, Hyderabad – 500022.
2. Telangana State Pollution Control Board,
Rep, by its Member Secretary,
A-3, Paryavaran Bhavan,
Sanath Nagar Industrial Estate,
Sanat Nagar, Hyderapad – 500018.
3. District Collector,
District Collector Office,
Mahaboob Nagar District,
Telangana – 500004.
4. Madhusudan Reddy,
Poultry Farm Owner,
Perikaveedu,
Koilkonda Mandal, Mahaboob Nagar District,
Telangana – 509204.







5. Janardhan Reddy,
Poultry Farm Owner,
Perikaveedu,
Koilkonda Mandal, Mahaboob Nagar District,
Telangana – 509204.
6. Narsimba Reddy,
Poultry Farm Owner,
Perikaveedu,
Koilkonda Mandal, Mahaboob Nagar District,
Telangana – 509204.

Respondents

COUNTER AFFIDAVIT FILED BY RESPONDENT NOS.4 TO 6

We, Madhusudan Reddy, Janardhan Reddy and Narsimba Reddy, residents cum Poultry Farm Owners at Perikaveedu, Koilkonda Mandal, Mahaboob Nagar District, Telangana – 509204, now temporarily come down to Chennai, do hereby solemnly affirmed and sincerely states as follows:-

1. We humbly submit that we are the private respondents cum poultry farm owners and we had well acquitted with the facts and circumstances of this case.
2. We humbly submit that we denied the all the averments and abnegates in the application filed by the applicants except those are specifically admitted herein, further the applicants were jointly or individually liable to put into strict proof for proof of the same.
3. We humbly submit that without going to the merits of this case, we were the native residents of Perikaveedu, Koilkonda Mandal, Mahaboob Nagar District, Telangana having agricultural land for our survival, besides we had established the poultry farms in our lands before several decades. In fact we had obtained necessary permission from competent authorities and developed our poultry farms in our village without any obstructions to the villagers as well as neighbours, further we dumped the wastages from poultry farm in our own land with ample preservations and various methods in manner known to law to

secure the same from public. Facts remains thus the applicants who were now settled in our village had hand and glow with rival poultry owners come forward the present applications without any iota of truth or case in their hands, hence the original application is liable to dismissed at limini.

4. We humbly submit that the applicants who were the grabbers to make trouble to us come forward with the present application with imaginary stories without pinpoint the sequence of our poultry farm activities, simply made complaint before authorities concern and came before the Honourable Tribunal without clean hands, for their convenience they developed a story and images. It is true we had established poultry farms for our survival more than a couple of decades, in fact under ample consideration and we strictly adhered the rules and regulations meant for poultry farms while we running the poultry farms in our village. On the other hand the applicants now only came to our village simply make nuisance with day today activities of our poultry farm in a grabbing manner for the reasons well known behind them. Hence the averments made in para Nos 1 and 2 are denied as false.

5. We humbly submit that as a law abiding citizens, we strictly followed the rules and regulation meant for poultry farms and morefully followed the same in our day today activities under the ample guidelines from local authorities and government authorities. Despites, we were not thrown out the waste of our farms as alleged by the applicants, on the other hand all of us had separate land in surplus manner dumped the farm wastages and dissolve the same under the instruction and guidelines of the competent authorities and local authorities in manner known to law under strict manner. This was appreciated by the authorities concern in various occasions, further due to the representation and complaint made by the applicants the authorities also visited our farms to discharge their duties and gave several instructions and guidelines to us, on positive development of poultry farms and its circumstances. In fact our village

is morefully depends upon agriculture and its allied developments, in this sequence we developed our poultry farms after obtaining necessary permission from authorities concern in strict sense, running our poultry farms without causing any nuisance or hindrance to public any manner. Hence the averments made para Nos.7 and 8 are hereby denied as false, baseless and concocted one without any iota of truth, the applicants solely liable to prove the same.

6. We humbly submit that as alleged by the applicants there was no such manner of "Breeding ground for insects, mosquitoes etc", further as a residents of our village we strictly followed the instructions and guidelines of the authorities as already stated. Besides growing up of populations, our village also developed in several sorts, however, the applicants who were the natives of various villages at present simply came to our village in an idea to made nuisance in our poultry farms with rival motive who had hand and glove with the rival poultry farm owners of nearby villagers, the same is highly illegal, arbitral and condemnable one. Out of it's the official respondents who were adding in the present application after the representation from applicants visited our farms and issued several instructions and guidelines to us. Facts remains thus the applicants without clean hands with ill-motive came forward with the present application to satisfy somebody else for the reasons well known behind them. Hence the averments made in para 9 is denied as false. It is needless to answer to para Nos.4 to 6, because we strictly adhere the mandatory provisions and guidelines, directions and ample instructions from authority concern in reference to running of poultry farms.

7. We humbly submit that at any point of view we were not make any hurdles or restrictions to the public or nearby residents as alleged by the applicants. Further apart from the various guidelines and instructions from authority concern we individually made several developments in our poultry farms, morefully in respect of wastages. Hence the application filed by the

applicants before this Honourable Tribunal is devoid of merits and circumstances of the case, for the same it is liable to dismiss by the order of the Honourable Tribunal.

It is therefore prayed that this Honourable Tribunal may graciously pleased to dismiss the Original Application with exemplary cost and thus render justice.

Solemnly affirmed at Chennai
this the 30th day of January 2023
the contents of this affidavit
having been read in Telugu who
being unacquainted with English
and after having understood
the contents therein put his
signature in my presence.

[Handwritten signature]
[Handwritten signature]

[Handwritten signature]

BEFORE ME

V. *[Handwritten signature]* (2023/19)

no. 416, Law Chamber
High Court, Madras

ADVOCATE : CHENNAI

**BEFORE THE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE BENCH
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Telangana – 509204 &
2 others.

Appellants

Vs

State of Tegangana,
Rep, by its Chief Secretary,
Secretariat,
Hyderabad – 500022 &
5 others.

Respondents

**COUNTER AFFIDAVIT FILED BY
RESPONDENT NOS.4 TO 6**

**M/S.P.PAL REDDY(TS.416/91)
D.RAMESHKUMAR
M.GOVINDARAJAN(3333/11)
T.R.NAGENTHIRAN(1254/12)
U.KRISHNASAMY, (2364/12)
A.VIJAYAKUMAR(815/13)**

**COUNSEL FOR RESPONDENTS
NOS.4 TO 6
8466059283**