

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI  
(T.N.)**

**MEMORANDUM OF APPLICATION**

(U/s.18(1) R/w. Sec-14, 15, 16 & 17 of National Green Tribunal  
Act 2010)

**O.A. No.156 of 2021 (SZ)**

**Between:**

**Human Rights & Consumer Protection Cell Trust**

...Petitioners

**AND**

**The State of Telangana & Others**

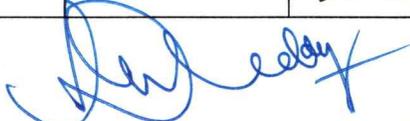
...Respondents

**LIST OF DOCUMENTS FILED BY RESPONDENT NO.13  
TO 20**

<b>Sl. No.</b>	<b>Date</b>	<b>Description of the Document</b>	<b>Exhibits</b>	<b>Page Nos.</b>
1.	24-09-2021	Counter Affidavit filed by Respondent No.13 to 20	--	1 to 6
2.	23-02-2021	Copy of order copy in W.P.No. 4229 of 2021 passed by Honorable High Court for the State of Telangana	<b>Ex- R17 /1</b>	<b>7 to 11</b>
3.	23-02-2021	Copy of order copy in W.P.No. 4251 of 2021 passed by Honorable High Court for the State of Telangana	<b>Ex- R17 /2</b>	<b>12 to 15</b>
4.	30-03-2021	Copy of order copy in W.P.No. 7630 of 2021 passed by Honorable High Court for the State of Telangana	<b>Ex- R17 /3</b>	<b>16 to 22</b>
5.	30-03-2021	Copy of order copy in W.P.No. 7653 of 2021 passed by Honorable High Court for the State of Telangana	<b>Ex- R17 /4</b>	<b>23 to 27</b>
6.	25.08.2021	Copy of order copy in Complaint No.2014/2013/B1.	<b>Ex- R17/5</b>	<b>28-29</b>
7.	----	Photographs	<b>Ex- R17/6</b>	<b>30-32</b>

**Place :** Hyderabad

**Date :** 24-09-2021

  
**Counsel for Respondent No.13 to 20**

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI  
(T.N.)**

**O.A. No.156 of 2021 (SZ)**

**Between:**

**Human Rights & Consumer Protection Cell Trust**

**...Petitioners**

**AND**

**The State of Telangana & Others**

**...Respondents**

**COUNTER AFFIDAVIT/OBJECTIONS FILED BY  
RESPONDENT NO.13 to 20**

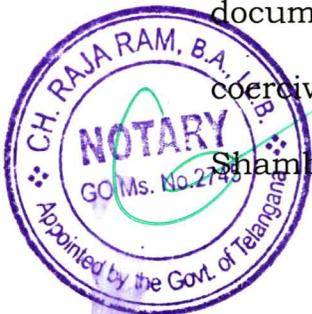
I, Smt. Anwarunissa, W/o. Md. Ahmed, Age 55 years, Occu: MPTC- VII- Ameenpur Gram Panchayat, R/o. H.No.15-101/1, Vandanapuri Colony, Beeramguda, Patancheru Mandal, Medak District, Telangana State, India, applicant herein (Respondent No.17), having temporarily come down to Hyderabad, do hereby solemnly affirm and state on oath as follows.

1. I respectfully submit that I am the deponent herein and I am impleaded in the present application and arrayed as Respondent No.17 in the present Original Application, and I am authorized to represent on behalf of Respondent Nos.13 to 16 and Respondent Nos 18 to 20 and as such I know the facts of the case and hence I depose as under.
2. I respectfully submit that I have gone through the averments and allegations made by the Applicant(s) which are false and denied and mere non-denial of averments shall not be treated as admissions.

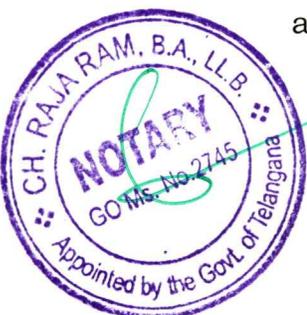


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3. I respectfully submit that the present application as filed by applicants herein is with ill-motive and for the vested interest. I submit that we have an opportunity to go through the pleadings and various reports as made available to us. We are the residents living around Shambhunikunta falling under Ameenpur Municipality and we have been living in this area for long time without interference from anyone. We have constructed the houses with the permissions duly obtained from the respective statutory authorities and we are paying the property tax, electricity bills and water bills as raised from time to time.
4. I respectfully submit that in and around our houses there are also Government buildings viz., MRO office and Government School. In view of the specific permissions granted by the respective authorities, it cannot be called as that the structures are falling under FTL/Buffer zone.
5. It is respectfully submitted that the similar complaint is also filed before the Hon'ble Lokayukta for the State of Telangana on the instigation of present applicant. Upon the same, the notices were served to the Respondent authorities from the Lokayukta Forum to take appropriate steps. That also in view of the directions of this Hon'ble Forum, the Respondent authorities have submitted the reports to this Hon'ble Forum without verifying the title deeds and other related documents of the residents in the locality and trying to take coercive steps against the Respondents living in and around Shambhunikunta to demolish the properties.

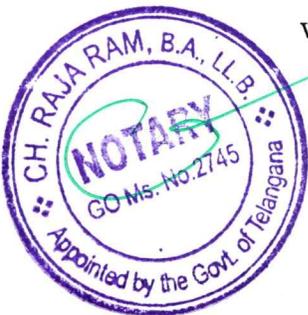


6. I respectfully submit that the Complainant before the Lokayukta for the State of Telangana is claimed to have addressed a letter dated 18.08.2021 to the Registrar, Lokayukta seeking to withdrawal of his complaint. Accordingly, the Hon'ble Lokayukta has closed the case dated 25.08.2021 in complaint No.2014/2013/B1 (**Ex.17 /6**).
7. I respectfully submit that notwithstanding the same, in view of the notices addressed by the Municipal and revenue authorities on the basis of orders passed by this Hon'ble Forum, some of the residents have approached the Hon'ble High Court for the state of Telangana by filing the Writ petitions vide W.P.Nos.7630/2021, W.P.No.4229/2021, W.P.No.7653/2021 & W.P.No.4251/2021 (**Ex.17/2 to 5**). Upon the same the Hon'ble High Court for the State of Telangana has passed the orders directing the respondents therein, not to take coercive steps and to consider the explanation given by the Petitioners within a specified time.
8. It is submitted that the Respondent authorities have taken the cognizance of the representations given by some of the residents and upon the checking the veracity of the title documents and the permissions granted by various authorities have considered the representations. However, in view of the orders of this Hon'ble Forum, the Respondent authorities are not taking up the case on merits and under



the influence of this Hon'ble Forums orders, the answering Respondents are being troubled.

9. I respectfully submit that the houses constructed in the locality do not fall under the FTL/Buffer Zone and any order passed by this Hon'ble Forum on the basis of the report submitted herein would seriously prejudice the rights of the answering Respondents if the authorities do not verify the title deeds, rights and permissions of the answering Respondents over the property at Shambhunikunta, Ameenpur Municipality.
10. I respectfully submit that in view of the above stated facts and circumstances and orders passed by various other courts, this Hon'ble Forum is humbly prayed to consider the objections raised herewith as stated below and accordingly the present case may please be disposed of in the interest of justice and circumstances of the case:
  - a. That the answering Respondents/residents at Shambhunikunta, Ameenpur Municipality are permitted for the construction over the property upon the verification of the title over the respective properties.
  - b. The Respondents herein are paying all statutory amount in the form of property tax, electricity bill and water bill etc., to the respective authorities.



- c. That in and around the properties of the Respondents herein there are the existence of Government buildings viz., MRO office, Government schools etc., and hence the subject property cannot be termed as it is existing in FTL/Buffer zone (**Ex.17 /7**).
- d. That the similar complaint filed before the Hon'ble Lokayukta for the State of Telangana is being withdrawn and accordingly the case is closed by way of order dated 25.08.2021 in complaint No.2014/2013/B1.
- e. That the orders are passed by the Hon'ble High Court for the State of Telangana in W.P.Nos.7630/2021, W.P.No.4229/2021, W.P.No.7653/2021 & W.P.No.4251/2021 directing the Respondent authorities not to take coercive steps without considering the representations and the documents filed by the Respondents therein.

It is therefore prayed that in view of the above stated facts and circumstances that this Hon'ble Forum is humbly prayed to direct the Respondent authorities not to take any coercive steps affecting the rights of the Respondents herein without verifying the title and permissions and sanctions granted by the statutory authorities in accordance with the law in the interest of justice and pass such other relief or reliefs as this Hon'ble Forum may deem fit and proper in the circumstances of the case.



Sworn and signed before me

*(Handwritten signature)*

on this the 24<sup>th</sup> day of September 2021  
at Hyderabad

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**Deponent**

**Notary/Hyderabad**

**VERIFICATION**

I, Anwarunissa, W/o. Md. Ahmed, Age 55 years, Occu:  
MPTC- VII- Ameenpur Gram Panchayat, R/o. H.No.15-101/1,  
Vandanapuri Colony, Beeramguda, Patancheru Mandal, Medak  
District, Telangana State, having temporarily come down to  
Hyderabad, applicant herein (Respondent No.17), do hereby verify  
the above stated contents are all true and correct to the best of my  
knowledge and belief and hence verified on this the 24<sup>th</sup> day of  
Sept., 2021 at Hyderabad.

Place: Hyderabad

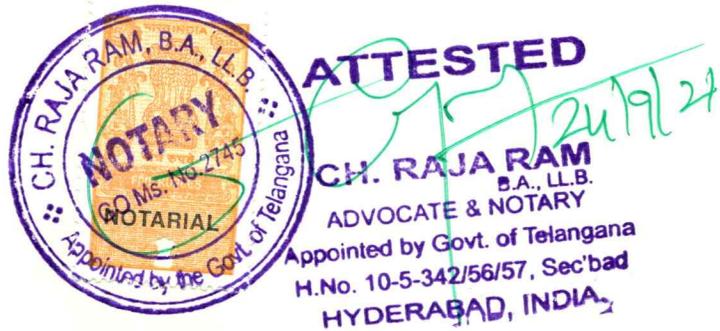
Date: 24.09.2021

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**Deponent**

**Notary/Hyderabad**

*(Handwritten signature in blue ink)*

**Counsel for Respondent No.13 to 20**



**BEFORE THE NATIONAL GREEN  
TRIBUNAL (SZ) CHENNAI (T.N.)**

**MEMORANDUM OF APPLICATION**

(U/s.18(1) R/w. Sec-14, 15, 16 & 17 of  
National Green Tribunal Act 2010)

**Original Appl. No.156 of 2021**

**Between:**  
**Human Rights & Consumer  
Protection Cell Trust**  
**...Petitioners**

**AND**

**The State of Telangana & Others**  
**...Respondents**

**COUNTER AFFIDAVIT FILED BY**  
**RESPONDENT NO.13 to 20**

**Date:** 24-09-2021

**Filed by:**

**Counsel for Respondent No.13 to  
20**

**Address for Service:**

**Dr. Venkat Reddy Donthi Reddy**  
**(TS/1833/2003)**  
**Ramesh Ganapathy (MS/2213/07)**  
P.V.V.Gopala Krishna Murthy  
(TS/1559/1995),  
A. Sreenivas (TS2110/2006),  
G. Krishnaiah (TS/1669  
/2018),  
K. Shravan Kumar Yadav  
(TS/1121/2020)

**Advocates**

**M/s. RVR Associates.**

IPR Attorneys & Advocates  
Flat No. G-4, # 3-4-543 & 544  
Laxmi Nilayam Apts.,  
Adj: YMCA Ground  
Narayanaguda,  
Hyderabad- 500 027.  
Telangana State, India.  
Phone: 040-66735595.

[rvrattorneysandadvocates@gmail.com](mailto:rvrattorneysandadvocates@gmail.com)

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

TUESDAY, THE TWENTY THIRD DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY ONE

**PRESENT**

**THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY**

**WRIT PETITION NO: 4229 OF 2021**

**Between:**

Nakkala Satyamma, W/o. Nakkala Kishtaiyah, Aged about 46 years, Occ. Housewife R/o. H. No. 12-65, Beeramguda, Ameenpur Municipality and Mandal, Sanga Reddy District, Telangana State.

...PETITIONER

**AND**

1. The State of Telangana, Rep. by Its Principal Secretary Municipal Administration and Urban Development Department Secretariat, Hyderabad.
2. The Commissioner, Municipal Council Ameenpur Municipality, Sanga Reddy District, Telangana
3. The Tahsildar, Ameenpur Mandal Sanga Reddy District, Telangana
4. The Revenue Divisional Officer, Sanga Reddy Division. Sanga Reddy District, Telangana State.
5. The Executive Engineer,, Department of Irrigation and CAD, Sanga Reddy District, Telangana State
6. The Ameenpur Municipality,, Ameenpur, Sanga Reddy District. Rep by Its Commissioner, Telangana State
7. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority Ameenpur Mandal, Sanga Reddy District, Telangana State

...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 writ, order or direction more particularly one in the nature of writ of Mandamus under Article 226 of Constitution of India declaring the action of the Municipal Commissioner, Ameenpur, Respondent No.2 for issuing the impugned notice vide P.O.No.61/UC/TPS/AMPR/ 2020/SBK, dt.27.06.2020 and taking coercive steps to demolish the property of the Petitioner as illegal, arbitrary, unconstitutional and violative of the principles of natural justice and fundamentals rights guaranteed under Constitution of India and consequently set aside the impugned notice vide P.O.No.61/UC/TPS/AMPR/2020/SBK, dt.27.06.2020

**IA NO: 1 OF 2021**

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 Respondents not to interfere with the peaceful possession of the Petitioner over the property by suspending the impugned notice vide P.O.No.61/UC/TPS/AMPR/

2020/SBK, dt.27.06.2020 in pursuance of orders passed by this Honble Court in W.P.No.12411/2020 and batch cases, pending disposal of this writ petition

**Counsel for the Petitioner: Dr. VENKAT REDDY DONTI REDDY**

**Counsel for Respondent No. 1: GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT**

**Counsel for Respondent Nos. 2 & 6: SRI N. PRAVEEN KUMAR,  
SC FOR MUNICIPALITIES**

**Counsel for Respondent Nos. 3, 4 & 7: GP FOR REVENUE**

**Counsel for Respondent No. 5: GP FOR IRRIGATION & CAD**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY****WRIT PETITION No.4229 of 2021****ORDER:**

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development, the learned Standing Counsel for Municipality, the learned Government Pleader for Revenue, and the learned Government Pleader for Irrigation and Command Area Development for the respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

This writ petition is filed seeking to declare the action of the respondent No.2 in issuing the impugned notice dated 27.06.2020, and taking coercive steps to demolish the building belonging to the petitioner, as illegal and arbitrary.

Learned counsel for the petitioner states that the petitioner could not submit her explanation to the impugned notice dated 27.06.2020 due to the Covid-19 pandemic situation, and that the officials of the Ameenpur Municipality are interfering with the possession of the petitioner over the subject property under the guise of the impugned notice, and therefore, seeks to set aside the impugned notice.

Learned Standing Counsel, on instructions, states that the petitioner may be directed to submit her explanation to the impugned notice and the same will be considered by the authorities in accordance with law.

In view of the above made submissions, without going into the merits and demerits of the case, the Writ Petition is disposed of directing the petitioner to submit her explanation to the impugned notice within a period of two weeks from today. On receipt of such

explanation, the competent authority shall consider the same and pass necessary orders on merits, strictly in accordance with law, within a period of four weeks thereof. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. A copy of the order that may be passed by the competent authority shall be communicated to the petitioner. Till such time the final orders are passed, the official respondents are directed not take any coercive steps against the petitioner.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

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SD/-I.NAGALAKSHMI  
ASSISTANT REGISTRAR

GB

SECTION OFFICER

To,

1. The Principal Secretary Municipal Administration and Urban Development Department State of Telangana Secretariat, Hyderabad.
2. The Commissioner, Municipal Council Ameenpur Municipality, Sanga Reddy District, Telangana
3. The Tahsildar, Ameenpur Mandal Sanga Reddy District, Telangana
4. The Revenue Divisional Officer, Sanga Reddy Division. Sanga Reddy District, Telangana State.
5. The Executive Engineer,, Department of Irrigation and CAD, Sanga Reddy District, Telangana State
6. The Commissioner, Ameenpur Municipality,, Ameenpur, Sanga Reddy District. Telangana State
7. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority Ameenpur Mandal, Sanga Reddy District, Telangana State
8. One CC to Dr. Venkat Reddy Donthi Reddy Advocate [OPUC]
9. Two CCs to GP For Municipal Administration & Urban Development, High Court for the State of Telangana. [OUT]
10. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
11. Two CCs to GP For Irrigation and Common Area Development, High Court for the State of Telangana. [OUT]
12. One CC to Sri N. Praveen Kumar, SC for Municipalities(OPUC)
13. Two CD Copies

MBC



HIGH COURT

DATED: 23/02/2021



ORDER

WP.No.4229 of 2021

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

17  
~~REMA~~  
23/02/2021

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

TUESDAY, THE TWENTY THIRD DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY ONE

**PRESENT**

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY**

**WRIT PETITION NO: 4251 OF 2021**

**Between:**

M. Veera Swamy, S/o. Bagaiah, aged about 52 years, Occ. Pvt. Employee  
R/o. H. No. 12-50, Beeramguda, Ameenpur Municipality and Mandal, Sanga  
Reddy District, Telangana State.

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by Its Principal Secretary Municipal Administration and Urban Development Department Secretariat, Hyderabad.
2. The Commissioner, Municipal Council Ameenpur Municipality, Sanga Reddy District, Telangana.
3. The Tahsildar, Ameenpur Mandal, Sanga Reddy District, Telangana.
4. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Telangana State.
5. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Telangana State
6. The Ameenpur Municipality, Ameenpur, Sanga Reddy District. Rep by Its Commissioner, Telangana State.
7. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority, Ameenpur Mandal, Sanga Reddy District, Telangana State.

**...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 writ, order or direction more particularly one in the nature of writ of Mandamus under Article 226 of Constitution of India declaring the action of the Municipal Commissioner, Ameenpur, Respondent No.2 for issuing the impugned notice vide P.O.No.27/UC/TPS/AMPR/2020/SBK, dt.27/06/2020 and taking coercive steps to demolish the property of the Petitioner as illegal, arbitrary, unconstitutional and violative of the principles of natural justice and fundamentals rights guaranteed under Constitution of India and consequently set aside the impugned notice vide P.O.No.27/UC/TPS/AMPR/2020/SBK, dt.27/06/2020.

**IA NO: 1 OF 2021**

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 Respondents not to interfere with the peaceful possession of the Petitioner over the property by suspending the impugned notice vide P.O.No.27/UC/TPS/AMPR/2020/SBK, dt.27/06/2020 in pursuance of orders passed by this Honourable Court in W.P.No.12411/2020 and batch cases, pending disposal of this writ petition.

**Counsel for the Petitioner: Dr. VENKAT REDDY DONTI REDDY**  
**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT**  
**Counsel for the Respondent No.2 & 6: SRI N. PRAVEEN KUMAR,**  
**SC FOR MUNICIPALITY**

**Counsel for the Respondent Nos.3, 4 & 7: GP FOR REVENUE**

**Counsel for the Respondent No.5: GP FOR IRRIGATION AND COMMAND AREA DEVELOPMENT**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY****WRIT PETITION No.4251 of 2021****ORDER:**

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development, the learned Standing Counsel for Municipality, the learned Government Pleader for Revenue, and the learned Government Pleader for Irrigation and Command Area Development for the respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

This writ petition is filed seeking to declare the action of the respondent No.2 in issuing the impugned notice dated 27.06.2020, and taking coercive steps to demolish the subject building belonging to the petitioner, as illegal and arbitrary.

Learned counsel for the petitioner states that the petitioner could not submit his explanation to the impugned notice dated 27.06.2020 due to the Covid-19 pandemic situation, and that the officials of the Ameenpur Municipality are interfering with the possession of the petitioner over the subject property under the guise of the impugned notice, and therefore, seeks to set aside the impugned notice.

Learned Standing Counsel, on instructions, states that the petitioner may be directed to submit his explanation to the impugned notice and the same will be considered by the authorities in accordance with law.

In view of the above made submissions, without going into the merits and demerits of the case, the Writ Petition is disposed of directing the petitioner to submit his explanation to the impugned notice within a period of two weeks from today. On receipt of such

explanation, the competent authority shall consider the same and pass necessary orders on merits, strictly in accordance with law, within a period of four weeks thereof. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. A copy of the order that may be passed by the competent authority shall be communicated to the petitioner. Till such time the final orders are passed, the official respondents are directed not take any coercive steps against the petitioner.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

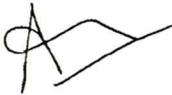
SD/-K.VENKAIAH  
ASSISTANT REGISTRAR  
SECTION OFFICER

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To,

1. The Principal Secretary Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Municipal Council Ameenpur Municipality, Sanga Reddy District, Telangana.
3. The Tahsildar, Ameenpur Mandal, Sanga Reddy District, Telangana.
4. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Telangana State.
5. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Telangana State
6. The Principal Secretary Municipal Administration and Urban Development Department, Ameenpur Municipality, Ameenpur, Sanga Reddy District, Telangana State.
7. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority, Ameenpur Mandal, Sanga Reddy District, Telangana State.
8. One CC to Dr. Venkat Reddy Donthi Reddy, Advocate [OPUC]
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12. Two CCs to GP for Irrigation and Command Area Development, High Court for the State of Telangana at Hyderabad. [OUT]
13. Two CD Copies

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HIGH COURT

DATED:23/02/2021

ORDER

WP.No.4251 of 2021



DISPOSING OF THE WP  
WITHOUT COSTS

17  
~~MM~~  
~~04/3/2021~~

**THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY****WRIT PETITION No.4251 of 2021****ORDER:**

Heard the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development, the learned Standing Counsel for Municipality, the learned Government Pleader for Revenue, and the learned Government Pleader for Irrigation and Command Area Development for the respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

This writ petition is filed seeking to declare the action of the respondent No.2 in issuing the impugned notice dated 27.06.2020, and taking coercive steps to demolish the subject building belonging to the petitioner, as illegal and arbitrary.

Learned counsel for the petitioner states that the petitioner could not submit his explanation to the impugned notice dated 27.06.2020 due to the Covid-19 pandemic situation, and that the officials of the Ameenpur Municipality are interfering with the possession of the petitioner over the subject property under the guise of the impugned notice, and therefore, seeks to set aside the impugned notice.

Learned Standing Counsel, on instructions, states that the petitioner may be directed to submit his explanation to the impugned notice and the same will be considered by the authorities in accordance with law.

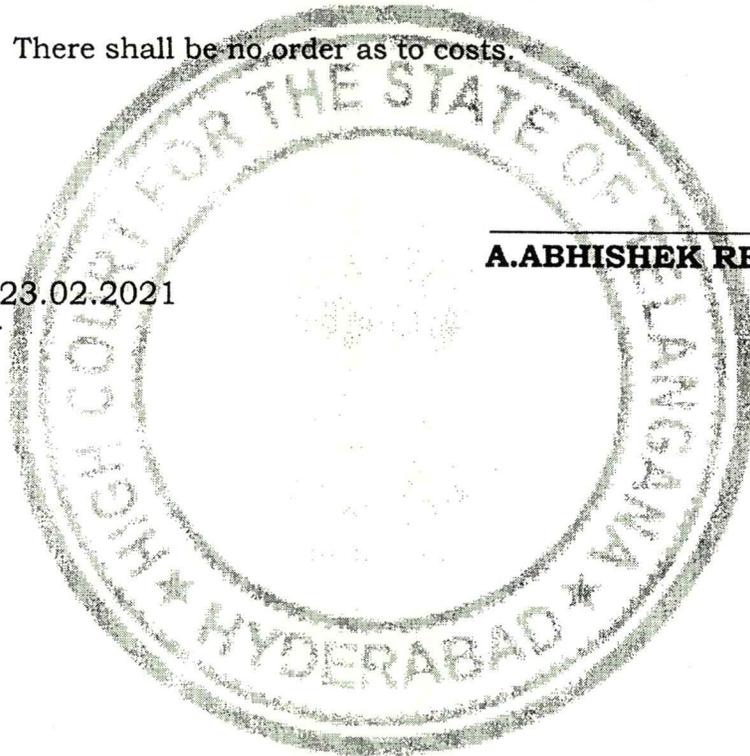
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explanation, the competent authority shall consider the same and pass necessary orders on merits, strictly in accordance with law, within a period of four weeks thereof. It is needless to mention that before passing any orders, the petitioner shall be given an opportunity of hearing. A copy of the order that may be passed by the competent authority shall be communicated to the petitioner. Till such time the final orders are passed, the official respondents are directed not take any coercive steps against the petitioner.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

Date : 23.02.2021  
va/sur

**A.ABHISHEK REDDY, J**



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

TUESDAY, THE THIRTIETH DAY OF MARCH  
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 7630 OF 2021

**Between:**

Nakkala Satyamma, W/o. Nakkala Kishtaiah, Aged about 46 years, Occ. Housewife,  
R/o. H. No.12-65, Beeramguda, Ameenpur Municipality and Mandal, Sanga Reddy  
District, Telangana State.

...PETITIONER

**AND**

1. The State of Telangana, Rep. by Its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Sanga Reddy District, Telangana.
3. The Tahsildar, Ameenpur Mandal, Sanga Reddy District, Telangana
4. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Telangana State.
5. The Tahsildar and Ex Officio Chairman, Mandal Level WALTA Authority, Ameenpur Mandal, Sangareddy Distict, Telangana.

...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 writ, order or direction more particularly one in the nature of writ of Mandamus under Article 226 of Constitution of India declaring the action of the Respondent No.5 for issuing the impugned notice vide No.B/363/2019, dated 04/06/2020 asking the petitioner to remove the structure of house over the shikam land and taking coercive steps to demolish the property of the Petitioner despite the reply to the notice is issued by the Petitioner as illegal, arbitrary, unconstitutional and violative of the principles of natural justice and fundamentals rights guaranteed under Constitution of India and consequently set aside the impugned notice vide No.B/363/2019, dtd.04/06/2020.

IA NO: 1 OF 2021

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 Respondents not to take any coercive steps including demolition of structure at Plot No.12-65 belongs to the Petitioner by suspending the impugned notice vide No.B/363/2019, dtd.04/06/2020 situated at Beeramguda, Ameenpur Municipality and Mandal, Sangareddy district, pending disposal of this writ petition.

**Counsel for the Petitioner: Dr. VENKAT REDDY DONTI REDDY**

**Counsel for the Respondents: GP FOR REVENUE**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE P. NAVEEN RAO****WRIT PETITION No.7630 OF 2021****ORDER:**

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue for the respondents.

2. This writ petition is filed challenging the notice issued on 04.06.2020 calling upon the petitioner to show cause why her house in Survey No.765 should not be dismantled/removed from Shikam/FTL/Buffer Zone of Shambunikunta of Ameenpur Village.
3. In response to the said notice, petitioner filed her explanation acknowledged by the office of the Tahsildar on 22.01.2021. While challenging the notice, petitioner alleges that without considering the explanation offered by the petitioner and without taking final decision pursuant to the notice issued on 04.06.2020, the respondent authorities are taking coercive action against the petitioner.
4. As fairly submitted by learned counsel for petitioner, the Tahsildar is competent to issue the impugned notice under the provisions of the Water, Land and Trees Act, 2002 (for short, 'the WALTA').
5. From the reading of the notice, it is also seen that the National Green Tribunal, Southern Zone, Chennai, passed an order directing the State authorities to form a Lake Protection Committee and take steps to ascertain the encroachments into the water bodies in the State and if there are any encroachments to remove the same and restore the water bodies to its original

position. In addition to powers under the WALTA, the Tahsildar is also required to comply with the directions issued by the National Green Tribunal. When a notice is issued by the competent authority, more particularly, pursuant to the directions of the National Green Tribunal, the writ petition challenging the notice is not maintainable.

6. At this stage, learned counsel for the petitioner sought to contend that without passing final orders on the explanation offered by the petitioner and keeping the issue pending, the respondent authorities are taking coercive action as if petitioner violated the provisions of law and constructed a house in shikam land and such action is not valid in law.

7. The impugned notice is dated 04.06.2020 and explanation was offered by the petitioner on 22.01.2021. It is not known whether the Tahsildar has already passed orders before receiving the explanation offered by the petitioner. Further, the explanation was also offered eight weeks back by now. Therefore, it is possible to pass orders on due consideration of the explanation. However, learned counsel for the petitioner submits that no decision is made and communicated to the petitioner.

8. In view of the same, the writ petition is disposed of directing the Tahsildar to pass orders consequent to the show cause notice issued on 04.06.2020, duly taking note of the directions issued by the National Green Tribunal and on due consideration of the explanation offered by the petitioner on 21.01.2021, if not already passed, as expeditiously as possible, preferably within eight weeks from the date of receipt of this order and communicate

the said decision to the petitioner by assigning reasons in support of the decision. If no orders are already passed and the matter is pending consideration, the Tahsildar is directed not to take coercive steps till the orders are passed pursuant to the impugned show cause notice. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-V.SUDHA  
ASSISTANT REGISTRAR  
SECTION OFFICER

To,

1. The Tahsildar, Ameenpur Mandal, Sanga Reddy District, Telangana
2. One CC to Dr. Venkat Reddy Donthi Reddy, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CD Copies

CHR



HIGH COURT

DATED:30/03/2021

ORDER

W.P.No.7630 of 2021



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS

ASJ (6)  
26/4/2021

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

TUESDAY, THE THIRTIETH DAY OF MARCH  
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 7653 OF 2021

**Between:**

M. Veera Swamy, S/o. Bagaiah, aged about 52 years, Occ. Pvt. Employee R/o. H. No. 12-50, Beeramguda, Ameenpur Municipality and Mandal, Sanga Reddy District, Telangana State.

...PETITIONER

**AND**

1. The State of Telangana, Rep. by Its Principal Secretary Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Sanga Reddy District, Telangana.
3. The Tahsildar, Ameenpur Mandal Sanga Reddy District, Telangana.
4. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Telangana State.
5. The Tahsildar and ExOfficio Chairman Mandal Level WALTA Authority, Ameenpur Mandal, Sangareddy Distict, Telangana.

...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 and writ, order or direction more particularly one in the nature of writ of Mandamus under Article 226 of Constitution of India declaring the action of the Respondent No.5 for issuing the impugned notice vide No. B/363/2019, dated. 01.12.2020 asking the petitioner to remove the structure of house over the shikam land and taking coercive steps to demolish the property of the Petitioner despite the reply to the notice is issued by the Petitioner as illegal, arbitrary, unconstitutional and violative of the principles of natural justice and fundamentals rights guaranteed under Constitution of India and consequently set aside the impugned notice vide No. B/363/2019, dated. 01.12.2020.

**IA NO: 1 OF 2021**

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 Respondents not to take any coercive steps including demolition of structure at Plot No.12-50 belongs to the Petitioner by suspending the impugned notice vide No. B/363/2019, dated. 01.12.2020 situated at Beeramguda, Ameenpur Municipality and Mandal, Sangareddy district, pending disposal of this writ petition.

**Counsel for the Petitioner: Dr. VENKAT REDDY DONTHI REDDY**

**Counsel for the Respondents: AGP FOR REVENUE**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE P. NAVEEN RAO****WRIT PETITION No.7653 OF 2021****ORDER:**

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue for the respondents.

2. This writ petition is filed challenging the notice issued on 01.12.2020 calling upon the petitioner to show cause why his house in Survey No.765 should not be dismantled/removed from Shikam/FTL/Buffer Zone of Shambunikunta of Ameenpur Village.
3. In response to the said notice, petitioner filed his explanation acknowledged by the office of the Tahsildar on 22.01.2021. While challenging the notice, petitioner alleges that without considering the explanation offered by him and without taking final decision pursuant to the notice issued on 01.12.2020, the respondent authorities are taking coercive action against the petitioner.
4. As fairly submitted by learned counsel for petitioner, the Tahsildar is competent to issue the impugned notice under the provisions of the Water, Land and Trees Act, 2002 (for short, 'the WALTA').
5. From the reading of the notice, it is also seen that the National Green Tribunal, Southern Zone, Chennai, passed an order directing the State authorities to form a Lake Protection Committee and take steps to ascertain the encroachments into the water bodies in the State and if there are any encroachments to remove the same and restore the water bodies to its original position. In addition to powers under the WALTA, the Tahsildar is

also required to comply with the directions issued by the National Green Tribunal. When a notice is issued by the competent authority, more particularly, pursuant to the directions of the National Green Tribunal, the writ petition challenging the notice is not maintainable.

6. At this stage, learned counsel for the petitioner sought to contend that without passing final orders on the explanation offered by the petitioner and keeping the issue pending, the respondent authorities are taking coercive action as if petitioner violated the provisions of law and constructed a house in shikam land and such action is not valid in law.

7. The impugned notice is dated 01.12.2020 and explanation was offered by the petitioner on 22.01.2021. It is not known whether the Tahsildar has already passed orders before receiving the explanation offered by the petitioner. Further, the explanation was also offered eight weeks back by now. Therefore, it is possible to pass orders on due consideration of the explanation. However, learned counsel for the petitioner submits that no decision is made and communicated to the petitioner.

8. In view of the same, the writ petition is disposed of directing the Tahsildar to pass orders consequent to the show cause notice issued on 01.12.2020, duly taking note of the directions issued by the National Green Tribunal and on due consideration of the explanation offered by the petitioner on 22.01.2021, if not already passed, as expeditiously as possible, preferably within eight weeks from the date of receipt of this order and communicate the said decision to the petitioner by assigning reasons in support

of the decision. If no orders are already passed and the matter is pending consideration, the Tahsildar is directed not to take coercive steps till the orders are passed pursuant to the impugned show cause notice. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-K.SAILESHI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The District Collector, Sanga Reddy District, Telangana.
3. The Tahsildar, Ameenpur Mandal Sanga Reddy District, Telangana
4. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Telangana State.
5. The Tahsildar and ExOffico Chairman Mandal Level WALTA Authority, Ameenpur Mandal, Sangareddy Distict, Telangana.
6. One CC to Dr.Venkat Reddy Donthi Reddy, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies.

MP

*[Handwritten signature]*

HIGH COURT

DATED:30/03/2021

ORDER

WP.No.7653 of 2021



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS

(10) vlv  
26/4/21

BEFORE THE HON'BLE LOKAYUKTA OF TELANGANA: AT HYDERABAD.

**PRESENT: SRI JUSTICE C.V.RAMULU,  
LOKAYUKTA OF TELANGANA**

WEDNESDAY, THE 25<sup>TH</sup> DAY OF AUGUST, 2021

COMPLAINT No.2014/2013/B1

BETWEEN

Sri Mudiraj Sangham, House No.9-51,  
Beeramguda Village, Ameenpur Gram Panchayat,  
Medak District, represented by its Member  
Sri G.Veeresh, S/o.Sri G.Ramulu, R/o.House No.9-51,  
Beeramguda Village, Ameenpur Gram Panchayat,  
Medak District.

.. Complainant

AND

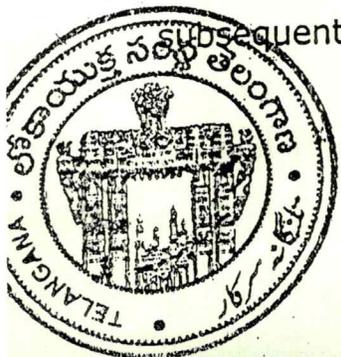
Sri Dinakar Babu, I.A.S.,  
District Collector,  
Medak at Sangareddy.

.. Public Servant

ORDER:

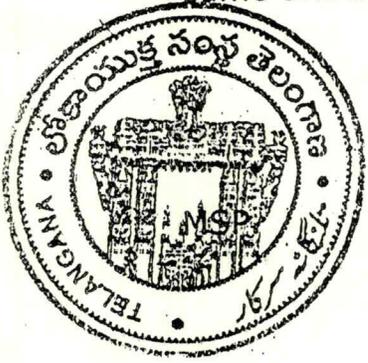
This complaint is filed by one Sri G.Veeresh, S/o.Sri G.Ramulu, on behalf of Sri Mudiraj Sangham, House No.9-51, Beeramguda Village, Ameenpur Gram Panchayat, Medak District, seeking protection of all the Tanks in Beeramguda Village, Ameenpur Gram Panchayat, Medak District with particular reference to the encroachments in Shambhumi Kunta in Survey No.765 of Beeramguda, H/o.Ameenpur village, Medak District. Hence this complaint.

There is no necessity of going into all the details. It is suffice to notice that the said Sri G.Veeresh, the complainant has filed a letter dt.18.8.2021 seeking to withdraw his complaint in view of the subsequent developments and the steps taken by the authorities.



*[Handwritten signature]*

In view of the above, this complaint stands closed. However, the Public Servants are at liberty to continue to keep a vigil on the encroachments of tanks etc., in Beeramguda village, Ameenpur Gram Panchayat, Medak District and take steps for eviction/removal of the same under the relevant laws.



" T/C "

*[Handwritten signature]*

Registrar

82/-

Lokayukta







**BEFORE THE NATIONAL GREEN  
TRIBUNAL (SZ) CHENNAI (T.N.)**

**MEMORANDUM OF APPLICATION**

(U/s.18(1) R/w. Sec-14, 15, 16 & 17 of  
National Green Tribunal Act 2010)

**Original Appl. No.156 of 2021**

**Between:  
Human Rights & Consumer  
Protection Cell Trust  
...Petitioners**

**AND**

**The State of Telangana & Others  
...Respondents**

**LIST OF DOCUMENTS FILED BY  
RESPONDENT NO.13 to 20**

**Date:** 24-09-2021

**Filed by:**

**Counsel for Respondent No.13 to  
20**

**Address for Service:**

**Dr. Venkat Reddy Donthi Reddy  
(TS/1833/2003)  
Ramesh Ganapathy (MS/2213/07)  
P.V.V.Gopala Krishna Murthy  
(TS/1559/1995),  
A. Sreenivas (TS2110/2006),  
G. Krishnaiah (TS/1669  
/2018),  
K. Shravan Kumar Yadav  
(TS/1121/2020)**

**Advocates**

**M/s. RVR Associates.**

IPR Attorneys & Advocates  
Flat No. G-4, # 3-4-543 & 544  
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