

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SZ) BENCH AT CHENNAI  
O. A. NO. 202 OF 2021**

Kuntla Dharmarjun Reddy

... APPELLANT

Vs

District Collector,

Suryapet District Collectorate & Others

... RESPONDENTS

**REPLY FILED BY THE RESPONDENT NO. 5**

I, Mandadi Narendra Reddy S/o. Mandadi Vidya Sagar Reddy, Aged about 55 years, residing at Plot 135, Sy. NO 5/3, Nandhi Hills, Raidurg Panmathka Hyderabad- 500033, temporarily come down to Chennai, do hereby solemnly affirm and sincerely state as follows;

1. I am the 5<sup>th</sup> respondent and I am well acquainted with the facts of the case with the records available here.
2. I have perused the application filed by the Applicants and at the outset I hereby deny all the material allegations made therein, except those that are specifically admitted hereunder. It is submitted that the application filed by the applicants is misconceived, not maintainable in law and on facts.
3. It is humbly submitted that, the lands in Survey No.322,323,327 are private patta lands owned by this respondent and there is no encroachment or damage on the FTL area of the Karnala Kunta at Kuda Village in Suryapeta District of Telangana State by this respondent. It is submitted that only a small portion of lands in Survey 327 ie; (0.20 guntas) is FTL and Buffer land which has been left open by this respondent, and no encroachment or development has been initiated by this respondent.
4. It is submitted that, the Karnala Kunta at Kuda Village in Suryapeta District is located adjacent to this respondent land. It is submitted

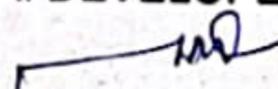
**For SRI SAI DEVELOPERS**

  
Managing Partner(s)

that there are no FTL and the Buffer Zone in the lands of this respondent in survey No.322 and 323.

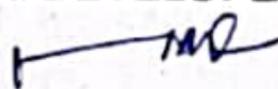
5. It is most humbly submitted that, out of the total extent of lands in survey No.327 only a small portion (0.20 guntas) falls on the FTL & buffer zone which have not been disturbed by this respondent by making any constructions and there is no encroachment or damage caused to the tank bund and the land is lying vacant on ground.
6. It is humbly submitted that in reply to para 3, it is submitted that there is no road laid as alleged, there is no obstruction to the free flow of water and there is no damage to the bund of the Karnala Kunta lake by this respondent. The patta lands of this respondent has its own separate/approach road and has obtained layout permission from the DTCP as early as 2021 .
7. It is most humbly submitted that, as per the EIA notification 2006 there are classification of projects which requires prior environmental clearance, for projects in which development area is more than 50 Hectares or the built up area is more than 1,50,000 Sq.mt, the said project by this respondent is only to an extent of 30.29 Acres (12.10 Hectares) which is less than the stipulated limit of 50 hectares to obtain prior Environmental Clearance and the project of this respondent admittedly no construction is being taken up. Hence, the provisions of the EIA notification are not attracted and therefore EC clearance is not required. The lands in which this respondent carries out real estate projects by obtaining all the statutory approvals as mandated, moreover no construction is being done by this respondent in the lake land.
8. It is humbly submitted that, this respondent have not filled the water body for leveling the land or extracted water from lake by breaking the bund to avoid inundation of plots in their real estate venture. The land of this respondent on which the real estate project is done by taking all the statutory approvals is only to an extent of 30.29 Acres (12.10 Hectares) which is less than the stipulated limit of 50 hectares. Further this respondent has strictly followed the conditions for

**For SRI SAI DEVELOPERS**

  
Managing Partner(s)

- obtaining NOC/approvals from the concerned authorities for this project.
9. It is humbly submitted that the lands in S.No 327, only a minimal extent of 0.20 guntas which is covered by FTL and Buffer, has been left open, as directed in the NOC from the Irrigation department and by DTCP. This respondent has not polluted the water body nor done any action to impede the flow of water or caused any aggravation of pollution and therefore the contents of this para are clearly not applicable to this respondent.
10. It is humbly submitted that to reply in para 4 and 5, regarding lodged of FIR No. 190/2020 at Chivvemla Police Station under Section 430 IPC, Sec 3 (i) (ii) of PDPP Act, Section 50 (1) (a) (2) of Telangana Irrigation Act 1357, there is no connection to the lands of this respondent with the above FIR.
11. It is humbly submitted that the photographs attached by the applicant are not reflecting the actual ground position and are taken from an angle which attempt to show with ambiguity on the lands surrounding the FTL and merely an attempt to mislead this Hon'ble Tribunal.
12. It is humbly submitted that the photographs annexed by the applicant shows that there are certain tombs (samadhis) which on ground verification can be seen of dates ranging from 1992/1996 till 2012, etc which clearly show that the said land is not lake land has been used by the locals for decades for cremation of their elders and hence the allegations of flooding and filling of low lying areas etc are misconceived allegations. It is also submitted that the land of this respondent and the bund road shown in the photograph are not connected and this respondent has separate road access which further connects the village area and this fact has been conveniently not mentioned by the applicant.
13. It is humbly submitted that the photographs showing the gate, is not even constructed and the proposed gate structure will be made in the lands belonging to this respondent and not on the FTL or on

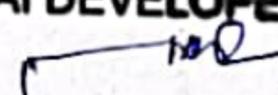
**For SRI SAI DEVELOPERS**

  
Managing Partner(s)

the lake. There is no construction or encroachment by this respondent in the lake or on the FTL and buffer zone as alleged. The water tank is also located outside the FTL and the buffer zone of the Kunta and in no way within the Kunta as is being sought to be projected by way of the photographs.

14. It is humbly submitted that, with regard to para 6 of the application, it is submitted that, there is no violation by this respondent and no complaint/FIR has been lodged or filed against this respondent regarding any construction in lake or on the FTL.
15. It is humbly submitted that, with regard to allegations made in para 7 to 9, this respondent lands and an minimal extent which is falling in the FTL and Buffer in Sy No 327, has left that land open to protect the FTL and Buffer and the lake and it has made its plotting beyond that area and not violated any law.
16. It is humbly submitted that this respondent has highest regard for the law of the land and it has in no way violated the Water (Prevention and Control of Pollution) Act, 1974, EIA Notification, 2006 or The Telangana Irrigation Act, 1357 F or any other law for the time being in force.
17. It is humbly submitted that in reply to para 10, it is falsely alleged that actions of this respondent are illegal and contrary to law. It is submitted that the respondent has complied with the conditions of the NOC and permission granted for the project to form plot layout. No construction has been carried out by this respondent on the lake or the FTL and buffer land and the Joint Committee appointed by the Hon'ble Court has also visited on ground and verified and confirmed the same.
18. It is humbly submitted that in reply to para 12 of the application, alleging that damaging the water body during Monsoon of 2021 and the tank bund of the Karnala Kunta Lake was damaged in September, 2021 by this respondent is absolutely denied and the applicant may be put to strict proof of the same. This respondent has not made any

**For SRI SAI DEVELOPERS**

  
Managing Partner(s)

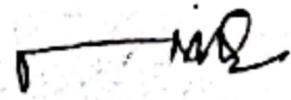
Illegal encroachments in the lake or the FTL and buffer of Karnala Kunta Lake at KUda Kuda Village of Suryapeta District.

19. In view of the facts and circumstance, the applicant may also be put to strict proof regarding the allegations leveled against this respondent which are made without any basis.

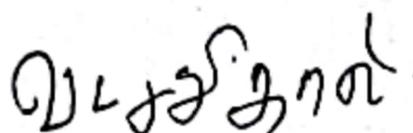
20. It is humbly submitted that, this respondent reserves the right to raise additional grounds by form of a reply in the near future as and when it is required and directed by this tribunal.

Therefore, it is most humbly prayed that this Hon'ble Tribunal may be pleased to close the complaint and pass appropriate orders as this Hon'ble Tribunal deems fit and proper and thus render justice.

**For SRI SAI DEVELOPERS**

  
**Managing Partner(s)**

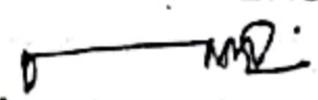
5<sup>th</sup> Respondent

  
COUNSEL FOR 5<sup>th</sup> RESPONDENT

**VERIFICATION**

I, Mandadi Narendra Reddy S/o. Mandadi Vidya Sagar Reddy, Aged about 55 years, residing at Plot 135, Sy. NO 5/3, Nandhi Hills, Raidurg Panmathka Hyderabad- 500033, do hereby verify that the contents of paragraphs 1 to 21 are true to my personal knowledge and that I have not suppressed any material fact.

**For SRI SAI DEVELOPERS**

  
**Managing Partner(s)**

5<sup>TH</sup> RESPONDENT