

BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE AT CHENNAI

**ORIGINAL APPLICATION No. 97 OF 2022**

Between:

Dr. M.S. Tejaswari,  
D/o. late M. Satyanarayana Reddy,  
R/o. h.No.3-16-668/A, Trimulgherry X Road,  
Secunderabad – 500 015, Telangana,  
Email: [mstejashwari@gmail.com](mailto:mstejashwari@gmail.com)  
Mobile: 7702892451.

... Applicant

AND

The Union of India,  
Rep. by its Secretary,  
Ministry of Defence,  
North Block,  
New Delhi – 110 001.  
Email: [defsecy@nic.in](mailto:defsecy@nic.in)  
Tel.: 011-23012380, 011-23011976  
Fax: 011-23010044 & 5 others.

.. Respondents

**REPLY FILED ON BEHALF OF THE RESPONDENT No.2**  
**ALONG WITH EXHIBITS R1 TO R23**

Filed on: 17.02.2023

Filed through:

**M/s. K.R. KOTESWARA RAO**  
G. Sanker Prasad  
Advocates

COUNSEL FOR RESPONDENT No.2

BEFORE THE NATIONAL GREEN TRIBUNAL,  
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Through



Place: Hyderabad  
Date : 17.02.2023

K. R. Koteswara Rao & G. Sanker Prasad  
Advocates for Respondent No.2

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1. The Union of India,  
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North Block,  
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Email: [defsecy@nic.in](mailto:defsecy@nic.in)  
Tel.: 011-23012380, 011-23011976  
Fax: 011-23010044
2. The Cantonment Board, Secunderabad  
Rep. by its Chief Executive Officer,  
Sardar Patel Road, Court Compound,  
Secunderabad – 500 003, Telangana.  
Email: [ceo.scb2009@gmail.com](mailto:ceo.scb2009@gmail.com)  
Mobile: 08333997718, Off: 040-27808600  
Fax: 040-27808606
3. The State Pollution Control Board, Telangana,  
Rep. by its Member Secretary,  
Plot No.A3, Paryavaran Bhavan,  
Industrial Estate, Sanathnagar,  
Hyderabad – 500 018, Telangana.  
Email: [ms-4spcb@telangana.gov.in](mailto:ms-4spcb@telangana.gov.in)  
Off: 040-23815630, 040-23815631
4. G. Sayanna, S/o. late Sayanna,  
Aged: Major, Occ: Politician/MLA,  
R/o. Plot No.47, Gruhalakshmi Colony,  
Karkhana, Kakaguda,  
Secunderabad – 500 015, Telangana  
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Mobile: 09849339692
5. P. Shyam Kumar, S/o. Gowri Shanker,  
Aged: Major, Occ: Politician,  
R/o. Plot No.11, Srinagar Colony,  
Trimulgherry, Secunderabad – 500 015,  
Telangana, email: Not available, Mobile: 09849748040

  
CHIEF EXECUTIVE OFFICER  
SECUNDERABAD CANTONMENT BOA  
... Respondents

**REPLY FILED ON BEHALF OF THE RESPONDENT No.2**

1. It is respectfully submitted that the Applicant herein has filed the above said Original Application praying this Hon'ble Tribunal (a) to direct appropriate action against the Respondents for polluting the land and well of the Applicant by allowing the sewage generated by the illegal defence land encroachers to flow onto the land of the Applicant and also deliberately trespassing onto the land of the Applicant and digging channels to drain the sewage into the agricultural well in violation of environment laws; (b) to grant a sum of Rs.50,00,000/- as Interim Compensation for causing pollution of the land of the Applicant to the Applicant and grant such final compensation as may be determined by this Hon'ble Tribunal; (c) to direct removal of the illegally laid drainage pipeline from West to East covering a distance of more than a kilometer and from North to South laid by the encroachers till the Northern side boundary wall of the Applicant; (d) to issue directions for stopping the flow of sewage onto the land of the Applicant; and (e) to direct the Respondents to clean the agricultural well situated at the North Eastern side of the Applicant's property and restore the same to use.

2. It is humbly submitted that before adverting into the Para-wise Replies to the allegations of the Original Application, brief facts of the case leading to filing of the Original Application are as under:

(i) The Applicant herein is the Daughter of late M. Satyanarayana Reddy, who is claiming that her deceased father was the absolute owner and possessor of land Adm. Ac.03-11 Gts. in Sy.No.96/e, 97/a, 98/a (part of 96, 97, 98) of Trimulgherry Village and Mandal, Secunderabad, by virtue of a final Decree Proceedings in I.A. No.1061/1978 in O.S.No.942/1974 passed by the Hon'ble I Asst. Judge, City Civil Court, Secunderabad.

(ii) On perusal of the final Decree Proceedings dated 28.02.1991, it indicates that late Satyanarayana Reddy was allotted an agricultural land known as 'Muriki Bavi' to the extent of Ac.03-11 Gts. in Sy.No.96 to 99, but in the schedule of property of the said final Decree Proceedings, no details were given about the allotment of land and its boundaries in favour of late Satyanarayana Reddy. Since time immemorial, the well located in the said property is receiving drain/ storm water from the upstream due

  
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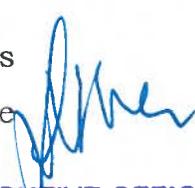
to natural gradient and it is never being used as drinking water well that is the reason the well itself named as MURIKI BAVI (Dirty water well).

(iii) By virtue of the said final Decree Proceedings, late M.Satyanarayana Reddy, during his life time, had submitted a Layout for sanction, to the 2<sup>nd</sup> Respondent and the same was returned with certain objections on 21.11.2012, for which he had submitted his Reply and agreed to submit fresh Layout Plan clearly showing the proposed storm water drain, location of septic tank, sewage line, etc. Accordingly, he had submitted a Layout Plan, showing proposed storm/drain water line passing through his property from North to South direction connecting to an existing open Nala on Southern side, beside Asha Cooperative Housing Society. The Northern Boundary of his property is a Hamlet/slum by name 'Chinna Kamela' which is form part of General Land Register (GLR) Sy.No.360/part, and this slum is consisting of about 257 houses, which is in existence for more than 5 decades. This Colony is situated on the upstream of the subject property claimed by the Petitioner as a result, the storm/drain water is passing through the property of late Satyanarayana Reddy for decades, as a result, a cesspool was formed in the said property over a period of time. Due to continuous flow of storm/drain water, late Satyanarayana Reddy was directed to re-submit his Layout by showing an underground storm/drain water line to discharge the effluents from the upstream neighbouring colony as well as 20 number of upcoming plots of his own Layout and join the same in the neighbouring Open Nala on Southern side, so as to avoid any cesspool causing health hazards.

(iv) Late Satyanarayana Reddy, though submitted a Layout Plan, he had not developed the Layout, as shown in the Layout Plan, and in view of the same, the storm/drain water from the upstream area of 'Chinna Kamela' is being deposited in the said cesspool and the storm/drain water is percolating into the soil and during rainy season, the excess water going down to the downstream and joining the open nala.

(v) Late Satyanarayana Reddy, vide his letter dated 27.03.2015, submitted to 2<sup>nd</sup> Respondent Board, to process his Layout Application, had informed that his land was converted into non-agricultural purpose by the Revenue Authorities, hence he cannot submit any document from local Tahsildar to show that it is an agricultural land.

(vi) Late Satyanarayana Reddy, when his Layout Application was pending, he filed a Writ Petition in W.P. No.31543/2017 before the Hon'ble

  
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High Court, against the Union of India, Principal Director, Defence Estates and Secunderabad Cantonment Board, and praying this Hon'ble Court to direct the Respondents to process his Layout Application. The said Writ Petition is pending.

(vii) Subsequent to filing the above said Writ Petition, the Layout Application of Late Satyanarayana Reddy was returned by the 2<sup>nd</sup> Respondent, on 19.01.2018, with two objections viz., one is, the Layout Plan attached was not as per Layout Bylaw No.3 and most of the measurements mentioned were not readable; and the second one is, the Pattedar Passbook was in local language and the same was required to be translated into English, and this rejection was made pursuant to certain objections raised by the Higher Authorities who are competent to confirm the Layout for final sanction. Till date, the above said objections have not been complied with, hence sanction of Layout is not accorded. Due to return of his Layout Application, the Writ Petition became infructuous and more so the said Writ petition stands abated due to death of the Writ Petitioner late Satyanarayana Reddy.

(viii) Later on, the Applicant herein along with her Brother has submitted a Representation dated 02.11.2021 to the Chief Executive Officer of the 2<sup>nd</sup> Respondent and requested for repair of compound wall and raising the height of the compound wall to prevent illegal trespassing, etc. In the said letter, they have complained that the neighbouring slum dwellers deliberately dumping various types of garbage into their land and even they have damaged the compound wall and illegally trespassed into their property. The said Representation has not been considered by the 2<sup>nd</sup> Respondent, as a compound wall was already constructed without any permission from the 2<sup>nd</sup> Respondent, as required u/Sec.261 of the Cantonments Act 2006 and by constructing the said compound wall, they are obstructing the natural flow of storm/drain water coming from upstream area of 'Chinna Kamela' due to natural gradient and formed as cesspool in the said property over a period of time.

(ix) The Applicant herein had submitted one more Representation to the 2<sup>nd</sup> Respondent Board, on 21.01.2022 and submitted that the slum dwellers of 'Chinna Kamela' are draining the sewage water into their land and even made huge holes on her compound wall illegally letting their sewage into her land, hence she requested to disconnect the water supply to 'Chinna Kamela' immediately. She further stated in Para 7 of her

  
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Representation that, she heard a huge explosion and when she rushed to the spot, she found that some sort of explosives were used to disturb the granite foundation of the compound wall and foundation wall has been cleared and drainage pipes have been inserted, regular manholes have also been inserted and sewage has been let into her land making it unfit for agriculture. In the said Representation, she requested to attend the problem, as the people living in that locality are posing serious health risk. On reading of her Representation, she herself admitted that the holes to the compound wall were made and even compound wall was broken and drain pipes were laid and sewage is being let into her property, by the local people. In view of this, the allegation of the Applicant that, on 16.02.2022, the officials of the 2<sup>nd</sup> Respondent Board have started demolition of boundary wall on Northern side and Eastern side, with the help of JCB and diverted the entire stagnant sea of sewage accumulated on Northern side of the Petitioner's property onto his open land, is factually not correct and misleading.

(x) She has also submitted a similar Representation dated 21.01.2022 to the Headquarters, Southern Command, and also to the Hon'ble Defence Minister, Union of India, for necessary action. Pursuant to such Representation, the President, Cantonment Board, has advised the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board to investigate the subject matter. Upon receipt of the said advice, the Area Engineer concerned was instructed to submit a Report on factual aspects.

(xi) Afterwards, a Meeting was held on 03.02.2022 between the Applicant & her brother and the President and Chief Executive Officer of the Secunderabad Cantonment Board and during the deliberations, the Applicant and her brother have explained various aspects relating to non-sanction of Layout and also the issue of drain water passing into their property and requested to take immediate action, for which the Chief Executive Officer has advised that due to construction of compound wall, the storm/drain water from the upstream is stagnating and causing health hazards, therefore, suggested a permanent solution by laying an underground pipeline passing through the property of the Applicant connecting to Open Nala on the Southern side at Asha Cooperative Housing Society, Trimulgherry, and also suggested to re-submit the Layout Plan by complying with the objections raised vide their Office letter dated 19.01.2018, but the Applicant and her brother did not heed to such request and the meeting was ended abruptly due to their non-cooperation.

  
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Afterwards, the Applicant and her brother have closed the existing drainage outlet on Eastern and Northern sides of their property, preventing the passage of storm/drain water into the cesspool already formed.

(xii) The Applicant had also submitted one more Representation dated 14.02.2022 to the Inspector of Police, Trimulgherry Police Station and marked a copy to the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board and in the said Representation also, she had stated that the slum dwellers have started making huge holes on her compound wall and have laid illegal drainage lines letting their drainage into her land, and in the said Representation to the Inspection of Police, Trimulgherry, she further informed that, around 02:30 PM on 14.02.2022, women and male, around 20 to 30 in number of 'Chinna Kamela' Basti, started damaging the basement of the compound wall on Eastern Side and caused damage to her compound wall.

(xiii) On the same day, i.e., on 14.02.2022, about 100 members of 'Chinna Kamela' colony, have submitted a Representation to the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board and submitted that they are residing in the said colony since 50 years and the 2<sup>nd</sup> Respondent Board provided all basic amenities like roads, drainage and drinking water, etc. However, Mr.Raghavendra Reddy, S/o. late M. Satyanarayana Reddy (2<sup>nd</sup> Petitioner) has dismantled the existing drainage system, due to which the drainage was getting stagnated in front of their houses, creating unhygienic health conditions. They further stated that the drainage system dismantled by Mr. Raghavendra Reddy was in existence for more than 50 years, whereas the drainage flow has been blocked, due to which, dirty water is coming into their houses, creating unhealthy living conditions, hence requested to take action. Apart from giving complaint, the public also staged a Dharna in front of the 2<sup>nd</sup> Respondent Board office and expressed their anguish and agony due to the problems of stagnated drain water coming into their houses leading to health problems.

(xiv) Upon such complaint from the members of 'Chinna Kamela' Colony as well as from the Applicant and her brother, the officials of the Secunderabad Cantonment Board have visited the drain outlet area of 'Chinna Kamela' and observed that due to closure of drain outlet, the drain water has been stagnated on the outside of the compound wall and entering into some of the houses of the 'Chinna Kamela' Colony and the

  
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situation was so grim and there is a possibility of outbreak of communicable diseases. Due to such compelling circumstances, the women folk of the colony had tried to clear the blockage so as to facilitate free flow of drain water into the cesspool.

(xv) Under the above stated circumstances, the Officials of the 2<sup>nd</sup> Cantonment Board had cleared the obstruction to facilitate free flow of drain water into the cesspool and in the process, the Applicant and her brother and their Mother, have hurled abusive words against the officials of the 2<sup>nd</sup> Respondent Board and even pelted stones on them. However, with the help of the earth removing machine, the obstructions were cleared to facilitate free flow of drain water into the cesspool which practice is in vogue for several decades.

(xvi) Thereafter, the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board issued a Show-cause Notice dated 16.02.2022 to the Applicant and her brother, as to why Order for laying an underground storm/drain water pipeline passing through their immovable property shall not be laid to facilitate free flow of storm/drain water in the vicinity.

(xvii) Aggrieved by the above said action of the 2<sup>nd</sup> Respondent, the brother of the Applicant filed a Writ Petition in WP No.8942 of 2022 before the Hon'ble High Court of Telangana, with an allegation that, the officials of the 2<sup>nd</sup> Respondent had demolished the boundary wall of the Applicant and her brother and attempting to lay public drainage through their property and sought for a direction to the 2<sup>nd</sup> Respondent to re-construct the demolished wall and also to pay compensation of Rs.5.00 Crores.

(xviii) Simultaneously, the Applicant also filed a Writ Petition in WP No.9997 of 2022 before the Hon'ble High Court of Telangana against Union of India, Secunderabad Cantonment Board, Telangana State Pollution Control Board, and others, declaring the inaction of the 2<sup>nd</sup> Respondent (Pollution Control Board) in not preventing the pollution of the Applicant's land and also inaction of the 2<sup>nd</sup> Respondent therein in giving appropriate direction to the 3<sup>rd</sup> Respondent therein (i.e., Secunderabad Cantonment Board) and to prevent illegal activities of land encroachers and slum dwellers.

(xix) In WP No.8942 of 2022 filed by the brother of the Applicant, the Hon'ble learned Single Judge of the High Court of Telangana was pleased to pass a common order in IA No.1 & 2 of 2022 dated 27.02.2022, whereby the 2<sup>nd</sup> Respondent therein, the Secunderabad Cantonment

  
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Board, is restrained from interfering with the peaceful possession of the Writ Petitioners over the subject land, demolition of compound wall or laying of drainage pipeline through the said property, till further orders. The 2<sup>nd</sup> Respondent has filed its Counter Affidavit and Stay Vacate Petition to vacate the said common order and, in the meanwhile, the WP No.9997 of 2022 filed by the Applicant was listed before the Division Bench of the Hon'ble Chief Justice and upon hearing both sides, the WP No.8942 of 2022 and WP No.17121 of 2021 (both filed by the Petitioner No.2) were directed to be listed along with WP No.9997 of 2022. After hearing both sides, the Hon'ble Division Bench was pleased to pass a common order in WP No.8942 of 2022 and WP No.17121 of 2021 by an Order dated 02.03.2022 and the operative portion of the Order is as follows:

*"keeping in view of the aforesaid, the Petitioner is directed to appear before the Chief Executive Officer, Secunderabad Cantonment Board, on 07.03.2022 at 10:30 AM and thereafter, the Cantonment Board shall be free to pass appropriate final order in accordance with law." It is needless to mention that, in case the Orders are passed against the Petitioner, there shall be no coercive action against the Petitioner for a period of two weeks from the date of passing the final order. The Petitioner shall also be free to take recourse to other remedies, as he is claiming compensation in the matter. He shall also be free to file a fresh Writ Petition before this Court in case he is still aggrieved in the matter and all other grounds in the petition are left open.*

*With the aforesaid, the Writ Petitions stand disposed of.*

*Pending miscellaneous petitions if any shall stand closed. There shall be no orders as to costs."*

(xx) Regarding the other Writ Petition in WP No.9997 of 2022 filed by the Applicant, since the Hon'ble Division Bench of the High Court of Telangana was not inclined to pass any order on the Writ Petition, they sought withdrawal of the same with a liberty to approach this National Green Tribunal, hence the said Writ Petition was dismissed as withdrawn with the aforesaid liberty to the Writ Petitioner vide Order dated 02.03.2022.

(xxi) Pursuant to the Orders passed by the Hon'ble Division Bench, the Applicant and her brother had appeared before the Chief Executive Officer of the 2<sup>nd</sup> Respondent Secunderabad Cantonment Board on 07.03.2022

  
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along with their Advocate and submitted their contentions in response to the Notice issued by the Cantonment Board dated 16.02.2022, whereunder a proposal was made for laying new underground drain line through the open land in Sy.No.96 & 99, Trimulgherry, and during the course of such submissions, the Counsel for the Applicant and her brother had also submitted some proposals for alternate underground drain line. After hearing such submission, the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board passed an Interim Speaking Order on 09.03.2022, whereby the Applicant was informed that, such proposal would be looked into after feasibility report submitted by the technical staff of the Secunderabad Cantonment Board and till such time, the Applicant was directed not to block the drain/storm water coming from upstream.

(xxii) In consonance with the Interim Speaking Order and also to study the alternate drain line proposed by the Applicant and her brother, the 2<sup>nd</sup> Respondent (CEO/SCB) had appointed PS Engineering Consultants, Hyderabad, Telangana, to submit a feasibility report for the proposed alignment for laying underground drain line. The said Consultants have inspected the site and submitted their feasibility report dated 01.04.2022, submitted in the office of 2<sup>nd</sup> Respondent on 04.04.2022 vide Inward No.2844. Thereafter, Chief Executive Officer of the 2<sup>nd</sup> Respondent addressed a letter to the Applicant and her brother with a request to appear before the Chief Executive Officer on 08.04.2022 at 11:00 hrs. to take further necessary action and to pass final orders, as per the direction of the Hon'ble High Court. The Applicant and her brother have received the said Notice and the brother of the Applicant sent a WhatsApp Message as a reply to the 2<sup>nd</sup> Respondent and informed that he was not in a position to attend the scheduled meeting, as he had to undergo examination for his surgery and also his family members were not keeping in good health and also informed that some of his family well-wisher expired.

(xxiii) After 3 days of his reply, the brother of the Applicant filed one more Writ Petition in WP No.19579 of 2022 before this Hon'ble High Court, with the same set of reliefs, as were pleaded in his earlier Writ Petition without allowing the 2<sup>nd</sup> Respondent to pass a Final Order, based on the feasibility report. This Hon'ble High Court of Telangana vide Interim Order dated 19.04.2022 was pleased to direct the 2<sup>nd</sup> Respondent to pass a Speaking Order, as ordered by the Hon'ble Division Bench, on or before

  
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26.04.2022. Since, by that time the Technical Team had submitted a feasibility Report to the 2<sup>nd</sup> Respondent, and the Applicant and her brother also are not showing any interest to appear before the Chief Executive Officer of 2<sup>nd</sup> Respondent, and more so, the Hon'ble Court of Telangana was pleased to order to pass a final Speaking Orders; accordingly, a Final Speaking Order dated 23.04.202 has been passed by the 2<sup>nd</sup> Respondent, duly communicated to the Applicant and her brother. In the said Speaking Order, for the reasons recorded therein and by virtue of the powers conferred u/Sec.213 and 224 of the Cantonments Act 2006, the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board has decided to lay an underground storm/drain water pipeline through the immovable property of the Applicant and her Brother bearing Sy.No.96 to 99, corresponding to GLR Sy.No.352/part, Trimulgherry, Secunderabad Cantonment, to facilitate free-flow of storm/drain water from upstream connecting to open nala in the downstream as per the Plan annexed to the feasibility report, without causing any damage to the property of the Applicant and her brother.

(xxiv) The Applicant herein and her brother had filed another Writ Petition in WP No.22126 of 2022 before the Hon'ble High Court of Telangana, challenging the final speaking order passed by the 2<sup>nd</sup> Respondent dated 23.04.2022. Pending Writ Petition, the Hon'ble High Court of Telangana was pleased to pass an interim order dated 29.04.2022 directing both the parties to maintain Status-Quo. In view of the Order of Status Quo granted by the Hon'ble High Court, the 2<sup>nd</sup> Respondent could not take up any further action regarding the flow of drain/storm water into the property of the Applicant and her Brother.

(xxv) Thereafter, the Applicant filed the above said case with several reliefs, as mentioned above and pending adjudication, the Respondent No.3 - Pollution Control Board had issued a Notice dated 08.12.2022 to the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board and advised to take immediate measures for prevention of untreated sewerage discharges and provide necessary treatment system for the sewage generated from the households in the locality.

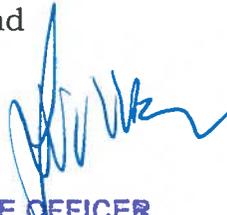
(xxvi) In response to the said Notice, the Office of the 2<sup>nd</sup> Respondent Board submitted a detailed report, wherein it was clearly mentioned that the Secunderabad Cantonment Board is restrained from entering into the property of the Applicant by passing an Order of Status Quo in WP

  
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No.22126 of 2022, hence could not take up any immediate measures for preventing untreated sewage discharges and also to provide any necessary treatment for the sewage generated from the households in the locality and further requested to prevail over the Applicant and her Brother to give their consent for laying underground drainage outlet through pipelines passing through their land for discharge of sewage from the households in the locality connecting to open nala in the downstream so as to prevent an percolation of untreated sewage discharges entering into private well/agricultural kunta of the Applicant and her Brother. For the said suggestion, there was no response from the 3<sup>rd</sup> Respondent – Pollution Control Board.

(xxvii) Be that as it may, the 3<sup>rd</sup> Respondent – Pollution Control Board submitted a Report dated 19.12.2022 before this Hon'ble Tribunal, wherein after narrating the contentions of the Applicant, the 3<sup>rd</sup> Respondent had stated that, their officials have inspected the Petitioner/Applicant land and surroundings on 03.11.2022 and made some observations regarding the topography of the houses and flow of sewage from those houses entering into the Applicant's land from Northern side and they also mentioned that, they have collected water sample from the open well and after analysis of the same, their observation was that, the high value of the total coliform 540 MNP/100 Ml indicates that untreated sewage was entering into the open well situated in the Applicant's land and further observed that, directions were given to the 2<sup>nd</sup> Respondent – Secunderabad Cantonment Board to take immediate steps for prevention of untreated sewage discharges and provide necessary treatment system for the sewage generated from the households in the locality.

(xxviii) Further it is to submit that, regarding sewage diversion, the Executive Engineer, Hussain Sagar Lake Division, Secunderabad, Govt. of Telangana, Irrigation and Command Area Development vide their letter dated 27.10.2022 addressed the 2<sup>nd</sup> Respondent have expressed the intention of the Govt. of Telangana to restore the Ramanna Cheruvu, Bowenpally and Trimulgherry Tank with sewage diversion and Weir cum Sluice for flood monitoring during Monsoon and requested the consent of the 2<sup>nd</sup> Respondent Board. The precise work to be taken up is, apart from protecting Tanks, also proposed laying of a sewage diversion and laying of Sewer Ring Main, Inspection Chamber including interception and



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diversion structure to prevent the entering of sewage into the Tanks. The Applicant's property is situated beside the Trimulgherry Tank.

(xxix) The 2<sup>nd</sup> Respondent vide letter dated 04.01.2023 has given its consent to take up the works mentioned in the letter dated 27.10.2022 by the Executive Engineer, Govt. of Telangana, and also gave certain directions for effective implementation of the work and also requested to forward a Detailed Project Report of the proposed work prior to its commencement for information.

(xxx) Further, it is to submit that, the 2<sup>nd</sup> Respondent board has already taken up the matter with the Managing Director, Hyderabad Metro Water Works and Sewerage Board (HMWS&SB) for preparation of detailed project report for providing rejuvenation, conservation, protection of lake situated in GLR Sy.No.352 which is in close proximity to the subject land of the Applicant by providing a Ring sewer for disposal of sewage affluent discharged from the vicinity and also intend to address the current issue of inundation of the locality due to sewage water during rainy season and the same is under preparation and apart from the above work, the 2<sup>nd</sup> Respondent Board is also working with the Irrigation Department of the Telangana Govt. for taking appropriate steps for sewage management and protection of Tanks, etc.

(xxxi) In view of the above facts and circumstances, the contention of the Applicant that, the 2<sup>nd</sup> Respondent has failed to protect the environment by permitting the illegal encroaches to demolish the compound wall of the Applicant and has permitted the sewage water to be let out into their private property, which contention has no legs to stand on.

3. As a consolidated reply to the allegations of the Original Application, more precisely, the allegation that, the illegal encroachments have come up over the Defence land and in respect of which the 2<sup>nd</sup> Respondent has not taken any action in spite of several Representation, is factually not correct and misleading, as the 2<sup>nd</sup> Respondent is a Municipal Body and has no statutory authority to take any action on the alleged encroachments of Defence land and there is a separate Establishment, Machinery and Authority is prescribed in regard to taking measures to prevent encroachments or removal of encroachments.

4. The other contention of the Applicant and her Brother is that, as early as 15.05.2015, the Father of the Applicant had complained about illegal

  
CHIEF EXECUTIVE OFFICER  
SECUNDERABAD CANTONMENT BOARD

attempts to lay public drainage through their property, which contention is factually not correct, as the Father of the Petitioners himself had submitted a Layout Plan, wherein he had proposed a storm water drain line for free flow of storm and drain water from the upstream area connecting to the open nala in the downstream and this fact has been suppressed by the Applicant. As stated above, since time immemorial, the well located in the said property is receiving drain/ storm water from the upstream due to natural gradient and it is never being used as drinking water well that is the reason the well itself named as MURIKI BAVI (Dirty water well). Hence, the contention of the Applicant that, the drainage from the slums has started seeping on their agriculture land and started polluting the agriculture well situated at the north eastern corner of the land is factually not correct and such contention is here by denied.

5. Regarding the allege role of Respondents No.4 & 5 who are local Politicians and their involvement in encouraging the local people in laying drainage lines illegally through the Govt. property, is factually not correct and as submitted above, the Chinna Kamela Colony has come up five decades ago and ever since the 2<sup>nd</sup> Respondent is the Municipal Body to provide basic amenities.

6.The other allegation of the Applicant that, the encroachers have committed trespass and have used crow bars and broken the compound wall to let the sewage generated into the land of the Applicant, is also factually not correct, as due to natural gradient, the sewerage/storm water from the upstream area of Chinna Kamela is passing through the land of the Applicant, wherein a Chest pool has been formed and since time immemorial, the storm and drain water is depositing in the said low lying area and to prevent the same, the Father of the Applicant while submitting a Layout, had made a proposal for underground drain line for discharge of sewerage / storm water from one end of his property to the other end connecting to open nala and this fact has been suppressed by the Applicant.

7.It is false to allege that, on 16.12.2022, the 2<sup>nd</sup> Respondent along with his Officers and Police force have started demolishing the boundary wall of the Applicant's property and that they have forcefully entered the land and have diverted the sewage into the fresh water open agriculture well of the Applicant. This allegation is factually not correct, in view of the facts submitted above.

  
CHIEF EXECUTIVE OFFICER  
SECUNDERABAD CANTONMENT BOARD

8. The other allegation of the Applicant that, the 2<sup>nd</sup> Respondent Board by misconstruing its powers under the Cantonments Act, rejected the Applicant's claim, hence Applicant filed Writ Petitions in WP No.19579 of 2022 and 22126 of 2022 before the Hon'ble High Court of Telangana and obtained an Order of Status Quo, is factually not correct, as the Division Bench of the Hon'ble High Court in its common Order dated 02.03.2022 has directed the Brother of the Applicant to appear before the Chief Executive Officer of the 2<sup>nd</sup> Respondent Board and thereafter the Cantonment Board was directed to pass appropriate final orders. Accordingly, final orders have been passed after taking into consideration of the Feasibility Report dated 01.04.2022, whereunder as per Option 3, the sewerage/drain water can divert directly into the open nala at the downstream across the open land in GLR Sy.No.352/part (Applicant's land) due to steep gradient to pass through the storm/drain water into the open nala. The Applicant and her Brother did not permit the 2<sup>nd</sup> Respondent Board to lay underground pipeline though their property as per the Option No.3 given in the Feasibility Report and filed two more Writ Petitions as detailed above and also filed the above said Application before this Hon'ble Tribunal, thereby prevented the 2<sup>nd</sup> Respondent Board from taking any remedial action on the issue of sewage discharge into the property of the Applicant from the nearby colony/slum.

9. The other allegation of the Applicant that, the Respondent Board highhandedly demolished the boundary wall without issuing any notice and illegally allowing the sewage to flow into the property of the Applicant and that the action of the Respondent No.2 is illegal and against the provisions of Cantonments Act 2006, Environment protection Act, Water Pollution Act, 1974 and also in violation of Human Rights of Applicant. These allegations are absolutely false and incorrect for the reasons narrated here in above and only to maintain the above said Application such allegations were leveled.

10. It is further humbly submitted that, for the reasons stated herein above, the Applicant is not entitled for the reliefs as prayed for in the above said Application and the Application may be dismissed, as for the same reliefs, the Applicant and her Brother filed a Writ Petition in WP No.22126 of 2022 before the Hon'ble High Court of Telangana, wherein an Order of Status Quo has been granted and since the matter is sub-judice

  
CHIEF EXECUTIVE OFFICER  
SECUNDERABAD CANTONMENT BOARD

on the same issue before the Hon'ble High Court, Telangana, the above said Application is devoid of any merits and is liable to be dismissed.

It, is, therefore, prayed that this Hon'ble Tribunal may be pleased to dismiss the Original Application No.97 of 2022 filed by the Applicant, in the interest of justice, under the circumstances of the case.



Counsel for Respondent No.2



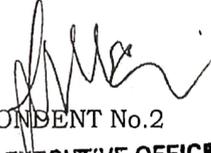
Signature of the Chief Executive Officer  
Secunderabad Cantonment Board  
Respondent No.2

**CHIEF EXECUTIVE OFFICER**  
**SECUNDERABAD CANTONMENT BOARD**

VERIFICATION

I, Madhukar Naik Dheeravath, IDES, S/o. Hari Dheeravath, aged about 50 years, Occ.: Chief Executive Officer of Secunderabad Cantonment Board, the Respondent No.2 herein, do hereby verify that the contents of the above paragraphs are true to the best of my knowledge and on legal advice and that I have not suppressed any material facts. Hence verified on this the 16<sup>th</sup> day of February 2023 at Hyderabad.

Date: 16 .02.2023  
Place: Hyderabad



RESPONDENT No.2  
**CHIEF EXECUTIVE OFFICER**  
**SECUNDERABAD CANTONMENT BOARD**

R-1

Exhibit- R-1

-16-

Dt. 12-12-2012

9

From:  
Sri.M.Satyanarayana Reddy,  
Advocate,  
R/o 3-16-668/A, Trimulgherry,  
Secunderabad-15.

ENGINEERING BRANCH	
No.....	359
Date.....	14/12/2012
CEO	<input checked="" type="checkbox"/>
ACEO	<input type="checkbox"/>
AS	<input type="checkbox"/>

To,  
The Cantonment Board, Secunderabad,  
Represented by its Chief Executive Officer,  
Secunderabad.

Sir,

Rs 100/- Towards Building  
Processing Charges/Postal Charges vide

Receipt No 83551 Dt 14/12/12

Sub: Resubmission of Layout application after complying  
the objections-reg.

- Ref:1.To your letter dated 21.11.2012 vide letter  
no.SCB/EB/Layout/Sy.No.96 to 99/T'giri V/160/3657  
2.To your letter no.SCB/EB/Layout/Sy.No.96 to  
99/T'giri V/1582 dated 9.7.2012  
3. To the orders in Writ Petition no. 8426 of 2011 on the  
dated 13.3.2012

*Ma. igdel  
For n/c pl.  
AB  
17/12/2012  
Aze*

With reference to your letter cited 1<sup>st</sup> above, I would like to submit the following. In pursuance to the letter cited referred 2<sup>nd</sup> above you had taken objection which were all complied and now again you have taken objection in the letter dated 21.11.2012 cited 1<sup>st</sup> above.

I will deal with each and every objection as under:

1. As regards the objection no.a, that plot cannot be related/oriented to its surroundings since the same are not marked either on ground or on the map properly is incorrect. The layout plan also clearly marks out the plots and open spaces and parks clearly. Hence objection no.a is complied.
2. As regards the objection no.b, that land is uneven and prone to water logging. It is submitted that the land has been leveled and the layout will be developed as per the layout permission and as per conditions imposed when the tentative layout to be released. However I have already leveled the land and I have also shown the proper slopes to facilitate the smooth flow of water and there will no water logging after development of the layout works.
3. As regards the objection no.c, I am herewith submitting the fresh layout plan drawn clearly showing the proposed storm water drains, location of septic tank, full dimension of the septic tank, electricity lines, diameter of the sewage line and inter-manhole distance, separation between water and sewage pipe line, hence objection no.c is complied.

(119)

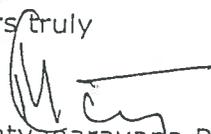
17

4. As regards the objection no.d that bore well and manhole are not matching with layout map, the bore well and existing outlet are shown, the manhole will be constructed after tentative layout is granted and will be done as per the layout plan freshly drawn and enclosed.

Kindly process my application for layout and release the same at the earliest and oblige.

Thanking you

Yours truly

  
M. Satyanarayana Reddy,  
Advocate,

Encl:

1. freshly drawn layout plan 5 copies enclosed.

27.3.2015

By Hand

From:  
M.Satyanarayana Reddy,  
Plot No.1, H.No.3-16-668/A,  
Trimulgherry, Secunderabad-500015

To, 9440939120

The Secunderabad cantonment Board,  
Secunderabad  
Represented by its Chief Executive Officer  
Secunderabad

ENGINEERING BRANCH	
No.	363
Date	27/3/2015
CEO	
ASCEO	

Sir/Madam,

Sub: Layout sanction for Sy.No.96-99(GLR S.No.352/part), of  
Trimulgherry Village and Mandal, Secunderabad-reg.

Ref:-To your letter dated 13.3.2015 Lr.No.SCB/EB/Layout/  
Sy.No.96-99/T'gherry/359/581

I am herewith enclosing the following documents as required by you in the letter cited in the reference above which have been submitted umpteen times so far.

As far as partition deed is concerned, the final decree which is engrossed on stamp paper shows that the property was partitioned and divided and I was allotted the land as per the compromise decree passed by the hon'ble court, so there will not be any separate partition deed. I hope this will clarify.

I submit that the land has been converted into non-agricultural purposes by the Revenue Divisional officer, Secunderabad; hence question of title deed being issued by the Tahsildar for agricultural land does not arise. However, I am enclosing the passbook issued by the Tahsildar in the name of my mother Smt.lakshamma is enclosed for your reference and also all the relevant pahani patrikas to prove my title which were taken into account while sanctioning the layout by the Secunderabad Cantonment Board.

Mr. Iqbal,  
For vengal n/a pl,  
H. S. 10/04/2015

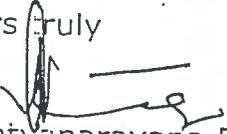
As regards the sale deed between me and Rama Reddy is concerned, I would like to clarify that I never sold any land to Rama Reddy so the question of existence or producing the CTC of sale deed does not arise.

I submit that I am moving from pillar to post for getting sanction from your authority for the past 8 years and I was also constrained to move the hon'ble High Court. I am senior citizen and it is regrettable that the state is treating me with such disdain.

I request your good self to the needful

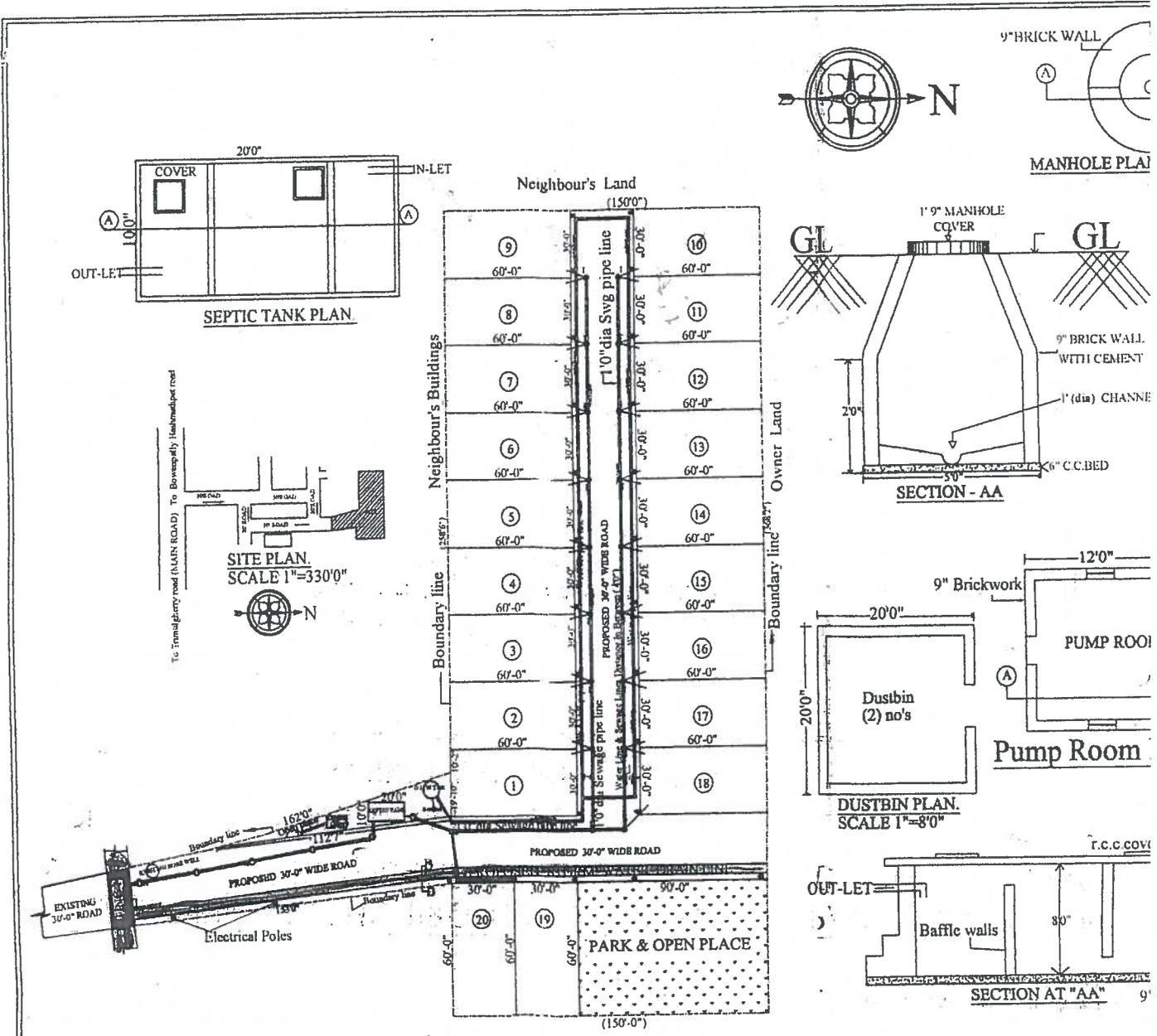
Thank ng you,

Yours truly

  
M. Satyanarayana Reddy,  
Advocate

Encl:

1. Photocopies of the Final decree and compromise memo in O.S.No.942 of 1974 on the file of the Hon'ble I Assistant Judge, Secunderabad dated 28.2.1991 along colour Xerox of the plan annexed to the final decree.
2. photocopy of the receipt dated 2.5.2012.
3. O/c of the letter dated 2.5.2012 to the SCB
4. Photocopy of the order in W.P.No.8426 of 2011 ated 13.4.2012.
5. O/c of the letter dated 12.7.2011 to SCB.,
6. Photocopy of the non-agriculture conversion payment receipt
7. Encumbrance certificate dated 14.2.2007
8. Patterdar passbook issued to my mother Late M.Lakshamma.
9. Photocopy of the pahani for the year 1989-90.
10. Photocopy of the Section 2(o) certificate under the ULC Act,
11. Photocopy of the letter issued by the DEO confirming that no defence land was involved in Sy.Nos.96-99 of Trimulgherry village.
12. Photocopy of the letter issued by the Tahsildar, issued by the MRO Trimulgherry Mandal, Secunderabad.
13. Photocopy of the proceedings of the joint survey by the defence officials and Tahsildar and panchanama copy confirming that no govt. land was involved.
14. Photocopy of the health department of the SCB.
15. Letter intimating that corrected plan resubmission to the SCB along with receipt
16. Agenda copy and resolution no.CBR No.30 dated 6.2.2013 of the SCB.



PLAN SHOWING THE PROPOSED LAY-OUT IN PART OF SY.Nos.96 To SITUATED AT TRIMULGHERRY VILLAGE, SECUNDERABAD CANTONM BELONGING TO: SRI.M.SATYANARAYAN REDDY (G.L.R. Sy.No S/O.SRI.LATE.MALLA REDDY.



## सिकंदराबाद छावनीपरिषद

सरदार पटेल मार्ग, कोर्ट हौस परिसर, सिकंदराबाद 500003

दूरवानी संख्या ०४० - ६५२६००२० / ०४० - २७८०८६००

SECUNDERABAD CANTONMENT BOARD  
SARDAR PATEL ROAD, COURT COMPOUND,  
SECUNDERABAD 500003

Tel No. 040 - 27808600 Fax No. 040 - 27808606

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21

No.SCB/EB/BBK/Layout/Sy. No. 96 to 99/T'gherry/ 162

Date: 19 January, 2018.

To

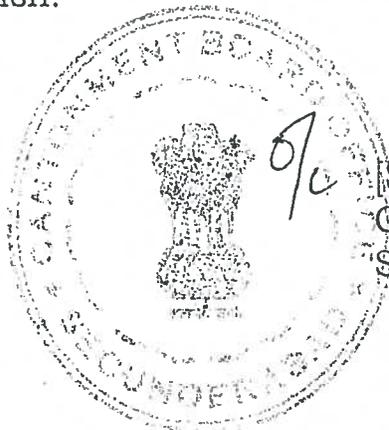
Shri. M. Sathyanarayana Reddy,  
R/o. H. No. 3-16-608/A, Plot No. 1,  
Beside HDFC ATM, Trimulgherry PO,  
Lal Bazar, Secunderabad Cantonment.

Sub:- Layout plan in respect of Open Land in Sy. No. 96 to 99, GLR  
Sy. No. 352/Part situated at Trimulgherry, Sec'bad - Reg.

Ref:- 1) Your Lr. Received by this Office Dated 11.03.2015.  
2) This office Lr. Dt. 13.03.2015 addressed to you.  
3) Your Lr. Dated 27.03.2015 submitted to this Office.

Your application has been considered and certain points have been raised by the higher authorities. Accordingly, you are requested to clarify the following:

1. Lay-out plan attached with the proposal is not as per the Lay-out Byelaws No. 3 and most of the measurements mentioned are not readable.
2. Pattadar Pass Book is in local language and same is required to be translated in English.



[S V R Chandra Sekhar]  
Chief Executive Officer,  
Secunderabad Cantonment.

P  
SB

22

By Hand

Date: 02-11-2021  
Trimulgherry.

From:

1. Dr. M.S. Raghavender  
S/o Late M. Sathyanarayana Reddy  
Aged 42 years, Occ: Doctor  
H.No: 3-16-668/A, Plot No 1,  
Trimulgherry X roads, Sec-Bad-15.  
Mobile No: 8501037390.

2. Dr. M.S. Tejashwari  
D/o Late M. Sathyanarayana Reddy  
Aged 44 years, Occ: Consultant  
H.No: 3-16-668/A, Plot No 1,  
Trimulgherry X roads, Sec-Bad-15.



To,

The Chief Executive Officer,  
Office of the Secunderabad Cantonment Board,  
Court Compound, S.P. Road,  
Secunderabad, 500003, Telangana.

- Sub: 1. Illegal-trespassing, dumping of garbage, urinating and damaging of Compound Wall of Patta land bearing the Sy.Nos 96-99(Part) belonging to my father Late. M.Sathyanarayana Reddy by slum dwellers of Chitana kamala basti.
2. Seeking permission for the repair of the compound wall, and raising the height of the compound walls also barricading over the compound wall with sheets and installation of CCTV's along the perimeter of the compound wall to prevent illegal trespassing, dumping of garbage and crime prevention.

Respected Sir,

- We submit that our father Late M.Sathyanarayana Reddy was the absolute owner and possessor of land admeasuring Ac.3-11 gts. in Sy.Nos.96/e, 97/a, 98/a (96,97,98 parts) of Trimulgherry village and Mandal, Secunderabad. The property is also secured by a compound wall built by my father long ago.
- We submit that the slum dwellers and their children under the political patronage of local basti leaders and others are deliberately dumping non-biodegradable plastic covers containing various types of garbage into the above-mentioned Patta land, along the compound wall and in front of the gate causing serious environmental pollution. We submit that the slum dwellers are in hand and glove with the field staff and private contractors of the sanitary wing of SCB and are dumping in front

of the gate of the above-mentioned land preventing ingress and egress from the land also became a breeding ground for pigs, street dogs causing the spread of various diseases and causing a health hazard to the adjacent colonies. We submit that the cattle in the above-mentioned land are getting sick and injured by the various non-biodegradable plastic covers containing various types of garbage dumped into the land and also street dogs are entering through the damaged portion of the compound wall posing a threat to us and to the cattle. We submit that slum dwellers frequently urinate in front of the compound wall and its surroundings causing unbearable stink. We submit that till to date the non-biodegradable plastic covers containing various types of garbage is not removed and kept on piling in front of the compound wall and also in our Patta land. We request your kind self to direct the Health and sanitation department of the Secunderabad Cantonment Board and also the concerned field staff for the removal of garbage and sanitization of the area at the earliest. We request that fine be imposed on these slum dwellers for daily throwing of the garbage and urinating as they are punishable offenses under Cantonments Act.

" We submit those slum dwellers and their children are damaging the compound wall and illegally trespassing into the above-mentioned land by climbing/scaling over our compound wall and also urinating, and entering the wall which may result in accidental drowning and death. Despite repeated warnings they continue to do the same for that we are not responsible. In this aspect, we informed the Trimulgherry P.S. many times.

" We submit that the slum dwellers and outsiders consume alcohol and drugs at the backside of the temple situated over the bund and also create a nuisance. In this aspect, we informed the Trimulgherry P.S. many times. We submit that in the past slum dwellers illegally trespassed into the above mention land and committed theft and also tried to molest women laborers.

" We submit that there are instances where the slum dwellers dump highly inflammable material at the compound wall and lit the fire as such the flames raising to a huge height and posing danger to the electric supply lines and spread of fire to nearby houses and into our land also causing severe damage to the compound wall.

" We submit that the deliberate and willful actions of these slum dwellers and their children are causing mental harassment and affecting our daily

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3

life as such we want to repair the compound wall damaged by them and to raise the height of the compound wall also barricading over the compound wall with sheets and installation of CCTV's along the perimeter of the compound wall to prevent illegal trespassing, dumping of garbage and crime prevention. We, therefore, request to good self to provide the necessary permission at the earliest.

- We submit that police protection be provided to us and my family members at the time of repairing of damaged compound wall and to raise the height of the compound wall also barricading over the compound wall with sheets and installation of CCTV's along the perimeter of the compound wall as there is a threat from the people as mentioned above. Kindly do the needful to me at the earliest.

Thanking you,

Yours's faithfully

M. S. Raghayender  
1. Dr. M.S.Raghayender.

2. Dr. M.S.Tejaswarl.

Enclosure:

1. Photographs color printouts showing garbage being dumped in Infront of the gate and along the compound wall of the above-mentioned Patta land.
2. Photographs color printouts showing garbage and liquor bottles being dumped into the above-mention Patta land.
3. Photographs color printouts, showing damaging of compound wall of the above-mentioned patta land by slum dwellers.
4. Photographs color printouts showing cattle being injured.
5. Photographs color printouts showing slum dwellers at the backside of the temple over the bund consuming liquor, drunkards sleeping etc., WhatsApp printouts and phone call details showing me calling the Trimulgherry police patrol and forwarding the photos and videos.

...P.T.O

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DVD 1	FOLDER 1: Garbage Dumping. FOLDER 2: Illegal Trespassing Into The Land. FOLDER 3: Stray Dogs Entry; Cattle Affected.
DVD 2	FOLDER 4: Urinating At The Compound Wall. FOLDER 5: Compound Wall Damage. FOLDER 6: Fire Footage.

c.c

1. Copy to The Inspector of Police, Trimulgherry P.S. Trimulgherry, Secunderabad - 500015. Telangana.
2. Copy to The DyCP, Office of the Deputy Commissioner of Police, North zone, Secunderabad, 500026.
3. Copy to The Assistant Commissioner of Police, Office of the Assistant Commissioner of Police Begumpet (North Zone) 500016.
4. Copy to The Commissioner of Police, Office of the Commissioner of Police, Basserbagh, Hyderabad 500029.

Dt.:21.1.2022

652  
2/10/22

/ 1668 ✓

By Hand

26

**From:**

Dr.M.S. Tejashwari,  
D/o Late M.Satyanarayana Reddy,  
Aged 44 years, Occupation: Consultant,  
R/o H.No.3-16-668/A, Beside Shahi Biryani Darbar Restaurant,  
Trimulgherry 'X' Roads, Secunderabad - 500015.  
Mobile number:7702892451

**To,**

The Secunderabad Cantonment Board  
Represented by Its Chief Executive Officer,  
Court Compound, S.P Road, Secunderabad - 500003  
Telangana, India.

**Respected Sir,**

**Sub:** Complaint against encroachments of defence land near Chinna Kamela, Gun Rock (Ward VII) at the instigation of generations of Ward 7 board members starting from P. Gauri Shankar, P. Shyam Kumar and his wife P. Bhagyasree -reg.

1. I submit that my father late M Satyanarayana Reddy was the absolute owner and possessor of land admeasuring about 3 acres 11 guntas comprised in survey numbers 96/E, 97/A/98/A (parts of survey number 96, 97 and 98) of Trimulgherry village, Secunderabad Cantonment. The said land fell to his share in the partition with his brothers. After the death of my father the above said property devolved upon me and my sister and brother and mother by operation of law. My father had also constructed a compound wall many decades ago to protect it from encroachment as the surrounding lands which belong to the Defence Estate Officer, Secunderabad was not protected and has become

Sai Jinish, AE.

R. No. A. 11

an easy target for encroachment. I humbly submit that one P. Gauri Shankar was a board member and he started the encouragement of encouragement of valuable defence lands in and around the heritage structure i.e., British period water tank constructed with granite blocks atop a hillock of boulders. What started as few houses is not turning into a mini slum and has become a haven for antisocial elements and is a great threat to the security of the Armed Forces stationed in the Cantonment like the Secunderabad Cantonment area. The slum has somehow managed to get basic amenities like electricity connection, water connections and streetlights for their houses thanks to their patrons in the Secunderabad Cantonment board like Gauri Shankar and his son P. Shyam Kumar and presently the daughter-in-law of Gauri Shankar Smt. P. Bhagyasree. The surrounding colonies which have obtained layouts by spending huge amounts from the Secunderabad Cantonment board and by spending huge amounts for developing their lands still do not have the amenities provided by the Secunderabad Cantonment board like water connection for instance, but the scene the Chinna Kamela slum which is a source of valuable votes for the board members mentioned above have the active encouragement to encroach into Defence land and grab the valuable land at the cost of law abiding citizens. I have been representing to the Secunderabad Cantonment board complaining about the illegal draining of the sewage water into my land which have fallen on your deaf ears and as such my brother was constrained to approach the High Court seeking a writ of

mandamus on you to remove the illegally laid drainage pipelines draining the sewage water into my land illegally.

2. As a taxpaying citizen I am aghast at the insensitivity of your office to my complaints. Apart from draining the sewage water into my land, the antisocial elements at the behest of the above-mentioned board members who have found it an unending source of votes to remain in power as a board member term after term.

3. I have come across a Supreme Court judgement delivered in the year 2016, the copy of which is enclosed herewith, which held that the encroachers of Defence land have no right to vote in the Secunderabad Cantonment board elections which I am informed is round the corner. I'm also informed that the slum Chinna Kamela has been given house numbers by the Secunderabad Cantonment Board and the population there is also enrolled as voters. In view of the judgement of the Apex Court which rightly pointed out that the local politicians who have been encouraging encroachment have so been their source of power in these encroachments and in the honorable court has thought it fit to rule that the encroachers of defence land shall not have any right to vote and subvert the rule of law.

4. I therefore request you to follow the guidelines of the honorable Supreme Court, the copy of the judgement which is enclosed herewith for your kind reference and immediately disenfranchise all the encroachers of the Defence land though they have been given house numbers for the sake of collecting revenue. The hon'ble Supreme court had to take such a lead

so as to discourage the board members who have encouraged the grabbing of valuable defence land.

5. I submit that the slum at Chinna Kamela has become a nuisance to the surrounding societies and is store house of criminals and antisocial elements and the security of the surrounding colonies have also become compromised. The support the illegal encroachers have from the Board members have emboldened them in their antisocial acts and have made huge holes on my compound wall illegally to let in their sewage into my land. I also request your good self to disconnect the water supply to Chinna Kamela immediately as it is encouraging the slum dwellers to commit their illegal acts.

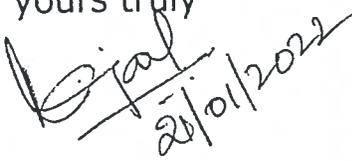
6. I submit that encouraged by the inaction of the Secunderabad Cantonment board, the slum dwellers have been emboldened further and have started dumping their garbage and plastic waste on our land mentioned above and we had also installed CCTV cameras and video recordings of the CCTV cameras clearly identify the culprits. We complained to the Trimulgherry police station who is an eye wash had also deputed couple of police constables and some of the culprits were warned not to repeat the offences, but however, the nuisance by the slum dwellers have not abated and the police have miserably failed or deliberately being in league with the political leaders operating in the area have turned a Nelson's eye to our problems.

7. On 19/11/2021 at about 11 AM we heard a huge explosion and immediately we rushed to the spot and found out that some sort of

explosive was used to disturb the granite foundation stones of the compound wall and some of the huge granite stones used as a foundation have been cleared and drainage pipes have been inserted and regular manholes have also been constructed and sewage is being let into our land making it unfit for agriculture at multiple locations as if it is some sort of a septic tank for them. Apart from letting in the sewage water by the residents of the enclosed defence lands mentioned above, the slum dwellers are also dumping their garbage by climbing over the compound wall and the garbage also includes all nonbiodegradable plastics which is evident from the photographs enclosed herewith.

8. I humbly submit that the land is surrounded by several colonies like Durga Mata cooperative housing colony, Padmanabha colony, Airlines colony, Surya Avenue, Sri Lakshmi Narsimha colony, Srinagar colony Malani enclave etc. and are inhabited by lakhs of people and account of the standing untreated sewage water crores of mosquitoes are being bred daily putting all the people residing in the colonies at serious risk apart from causing huge damage to my property and also denying our livelihood as we are totally dependent upon the agriculture operations from the land which is nothing but gross violation of our human rights to have a proper life guaranteed under the Constitution of India.

yours truly

  
20/01/2022

Dr.M.S.Tejashwari

**Enclosures:**

1. In the Hon'ble Supreme Court of India Mr Justice Anil R. Dave, Mr. Justice L. Nageswara Rao, Sunil Kumar Kori & Anr vs Gopal Das Kabra & Ors.etc CIVIL APPEAL No. 9728-9729 of 2016 (Arising out of SLP (C) No.20677-20678 of 2016) dated 27th September, 2016

**CC:**

1. Defence Estate officer (DEO), Defence Estate Office, Court Compound, S.P Road, Secunderabad – 500003, Telangana, India.
2. HQ Telangana And Andhra Sub Area, STN HQ 129-16, Rudra Rd, Saraswathi Nagar, Sai Colony, Alwal, Secunderabad 500010, Telangana.
3. Principal Director, Defence Estates, Southern Command, Near ECHS Polyclinic, Kondhwa Road, Pune (Maharashtra)- 411040
4. The Director General, Defence Estates, Ministry of Defence, West Block No. IV, R.K. Puram, New Delhi-110066.

0		Accs:	
DL.CEO		TS	
		Asst. Supdt	
CEO		RS	
		Stores	
		V.I.	
3.		G.O.	
S.S.		B.G.	
1.		R.K.	

Tele: 2/886666 : 6206 (U)

HQ Telangana and  
Andhra Sub Area  
PIN - 900453  
C/o 56 APO

32

3873/1/NIP/Cantt Bd/Q3L

28 Jan 2022

Chief Executive Officer  
Secunderabad Cantt Bd  
Secunderabad - 03

867/1102  
31-1-2022

COMPLAINT AGAINST THE SECUNDERABAD CANTT BOARD RAISED BY  
DR MS TEJASHWARI

1. A copy of compliant dt 01 Dec 2021 raised by Dr M.S. Tejashwari recd through IHQ (MoS (Army) letter No A/01161/Misc/SCB/Land (South & SW) dt 21 Jan 2022 is encl herewith.
2. You are requested to investigate the subject matter and fwd comments on the same b 01 Feb 2022.

*Abhijit*

(Abhijit Chandra)-  
Brigadier  
President Secunderabad Cantt Board

Encls : As above

674

Sri Dinesh  
AB  
for report  
11/1/2022

CEO		Accts:	
ADDL.CEC		TS	
		Rev Supdt	
JT. CEO	<i>for report</i>	AS	
OS.		Stores	
		V.I.	
E.B.		G.B	
W.S.S.		B.C.	
P.A.	<i>✓</i>	R.K.	

EB

33

Tele: 23019863

LW&E Dte/Land (S&SW)  
QMG's Branch  
HQ of MoD (Army)  
PIN - 900256,  
C/o 56 APO

A/01161/Misc/Sbd/Land (South & SW)

21 Jan 2022

HQ Southern Comd/Q(Land)  
PIN - 908541  
C/o 56 APO

FWD OF COMPLAINT OF Dr M S TEJASHWARI

1. Please find enclosed herewith a copy of Complaint of Dr M S Tejashwari, Trimulgherry, Lal Bazar, Secunderabad dt 01 Dec 2021 alongwith its enclosures received through MoD Dy No 1795/2021-D(Q&C) dt 13 Dec 2021.
2. HQ Southern Comd is requested to examine the matter and fwd comments by 31 Jan 2022.

*Rakesh Bhardawaj*

(Rakesh Bhardawaj)  
Section Officer  
Land(South & SW)  
for QMG

Copy to: -

HQ Dakshin Bharat Area (Q Land) Br

HQ Telangana and Andhra Sub Area (Q Br)

} For info and similar action pl.

22/25/01/22



encroached is part of the famous gun rock which had been identified as a Heritage area as it contained beautiful granite boulders and natural lakes and has now become an ugly slum.

2. We had represented to the Defence Estates Officer, Secunderabad, and also to the Secunderabad Cantonment Board (Telangana), Secunderabad which have fallen on deaf ears and most valuable lands belonging to the defence of the nation have been allowed to be encroached and swallowed by local politicians in league with the officials of the Secunderabad Cantonment board and also of the officials of the defence Estates office.

3. About three months back, the slum dwellers who had already formed an illegal association and have started making huge holes on our compound wall and have laid illegally drainage lines letting their drainage of untreated sewage into our land thereby damaging our agriculture operations and also cattle which have developed serious diseases. We had already given a complaint in May 2021 to the Secunderabad Cantonment Board requesting them to remove the illegally laid drainage lines which are against the provisions of the Cantonments Act and we were also constrained to file a writ petition in the honorable High Court for the state of Telangana vide WP number 17131 of 2021 which is pending a seeking a writ of mandamus directing the Secunderabad Cantonment board to remove the illegally laid drainage lines.

4. I submit that encouraged by the inaction of the Secunderabad Cantonment board, the slum dwellers have been emboldened further and have started dumping their garbage and plastic waste on our land mentioned above and we had also installed CCTV cameras and video recordings of the CCTV cameras to identify the culprits. We complained to the Trimulgherry police station who is an eyewash had also deputed a couple of police constables and some of the culprits were warned not to

repeat the offenses, but the nuisance by the slum dwellers have not abated and the police have miserably failed or deliberately being in league with the political leaders operating in the area have turned Nelson's eye to our problems.

5. On 18/11/2021 evening and also on Yesterday, that is on 19/11/2021 at about 11 AM we heard a huge explosion and immediately we rushed to the spot and found out that some sort of explosive was used to disturb the granite foundation stones of the compound wall and some of the huge granite stones used as a foundation have been cleared and drainage pipes have been inserted and regular manholes have also been constructed and sewage is being let into our land making it unfit for agriculture at multiple locations as if it is some sort of a septic tank for them. I have brought it to the notice of the Inspector of police, Trimulgherry, Secunderabad about the explosions that have occurred and asked him to investigate the matter to know if any antisocial or foreign hand is involved in the encroaching the aforesaid lands as it is in very close proximity to the defence installations and also the Secunderabad Cantonment being the largest in the country having huge station of soldiers especially skilled soldiers like EME and MES. I humbly submit that the local police are least interested in looking into my complaints and are not providing me with any protection to my life and my family members and also to my property inspite of grave threat posed by the subject mentioned peoples in my police complaints on various dates and have also neglected to look into the threat to the nation.

6. It is not out of place to state that the inaction of the defence Estates officer, Secunderabad in not preventing a huge slum to develop especially close to vital defence installations calls for serious scrutiny and investigation if the nation is safe in the hands of the present defence estate office, Secunderabad and the present Secunderabad Cantonment board officials.

7. Apart from encroaching valuable defence lands, the slum dwellers in league with their local politicians are letting in the sewage water into my land mentioned above and the slum dwellers are also dumping their garbage by climbing over the compound wall using ladders and the garbage also includes all non-biodegradable plastics which is evident from the photographs enclosed herewith. I humbly submit that the Secunderabad Cantonment being a large Cantonment where a huge number of soldiers and battalions are stationed, it is pertinent that the cantonments should be extra precautions as any pandemic may cause huge havoc among the troops thereby causing serious prejudice to the defence of this nation. Such is the callous attitude of the Secunderabad Cantonment board officials and the defence estates officers and finding no other go other than addressing your honorable excellency to take cognizance of this matter in national interests and direct appropriate action in this regard.

8. I humbly submit that the land is surrounded by several colonies like Durga Mata cooperative housing colony, Padmanabha colony, airlines colony, Surya Avenue, Sri Lakshmi Narsimha colony, Srinagar colony Malani enclave, etc. and are inhabited by thousands of people and account of the standing untreated sewage water crores of mosquitoes are being bred daily and also became a breeding ground for pigs and stray dogs putting all the people residing in the colonies at serious risk apart from causing huge damage to my property and also denying our livelihood as we are totally dependent upon the agriculture operations from the line which is nothing but a gross violation of our human rights to have a proper life guaranteed under the Constitution of India.

9. We have been complaining regularly about the guerrilla tactics being adopted by the slum dwellers. We have no other go other than complaining to you to take action against the Secunderabad Cantonment board for allowing untreated sewage water to accumulate on our property thereby

causing gross pollution which is a threat to the lives of lakhs of people living in the vicinity and for turning Nelson's eye to the pollution caused by illegal encroachers of valuable defence property. The illegal acts of the slum dwellers and especially their leader has led to a total collapse of rule of law. We are living in a democracy bound by rules and laws to be followed and it does not mean that the law applies only to the law-abiding and the others are having a special right to be an outlaw and have been allowed to be a law unto themselves. Illegal acts of the slum dwellers and their leaders will make any law-abiding person lose faith in the law. I'm herewith submitting the photographs and also the DVDs containing the video clippings recorded by the CCTV camera which clearly shows the offenses committed by the subject mention persons.

10. I, therefore, request your honorable excellency to immediately initiate action by ordering an inquiry into this complaint and immediately prosecute the Chief Executive Officer of the Secunderabad Cantonment Board (Telangana) and the sanitary staff of the Cantonment board for causing and allowing gross pollution and putting the people to grave risk of diseases especially in these days of the pandemic.

11. I also pray that the entire encroachments of the defence lands may be evicted and restored to the Army/defence in the interest of the nation.

12. I submit that if any pandemic is caused by the accumulated and stagnant sewage water on the property above-mentioned, it is the Secunderabad Cantonment Board that is mainly responsible for the same.

For this favor, I shall ever be grateful to you sir.

Thanking you

yours truly

*[Handwritten signature]*  
01/12/2021

Dr. M.S. Tejashwari

- P.T.C

# KAMALAGIRI SC WEAKER SECTION ASSOCIATION

Chinna Kamela, Trimulgherry, Secunderabad - 15

Regd: 334/07

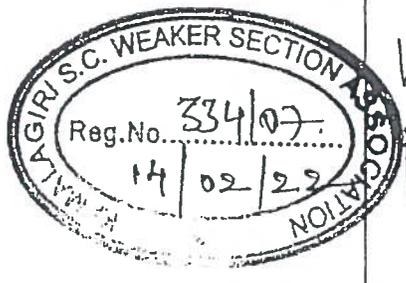
115

14/02/22

P.M. JOHN  
President

N. VENU GOPAL  
General Secretary

To,  
The Chief Executive Officer  
Contonment Board.  
Secunderabad.



Respected Sir,  
We on behalf of residents  
bring to your kind consideration that I  
had been residing since more than 50  
years provided with basic amenities like  
roads, drainage and drinking water in  
contonment. As of now Mr. Raghavendra Reddy  
S/o Mr. Sathyamurayana Reddy had dismantled  
the existing drainage system due to which  
the drainage water is getting stagnant  
front of our houses creating unhygienic  
conditions.

Though we gave the issue of drain  
to the higher authorities and health depart  
but did not get the solution.

The drainage system dismantled by Ragh  
Reddy is more than 50 years. whereas  
drainage flow has been blocked due to  
which the dirty water is seen coming  
into the houses and the residents are  
being feeling ill health.

Kindly take necessary action as soon  
as possible.  
Thanking you

Yours Faithfully  
R. Venugopal  
N. VENU GOPAL

40

Neel copy

To,  
The Chief Executive officer  
Cantonment Board  
Secunderbad

Respected Sir,

We on behalf of residents bring to your kind consideration that we had been residing since more than 50 years provided with basic amenities like roads, drainage and drinking water by the cantonment. As of now M.Raghvendra Reddy S/o M.Satya Narayana Reddy had dismantled the existing drainage system due to which the drainage water is getting stagnate in front of our houses creating Un-hygienic conditions.

Though we gave the issues of drainage to the higher authorities and health department but did not get the solution.

The drainage system dismantled by M.Raghvendra Reddy is more than 50 years where as the drainage flow has been blocked due to which the dirty water is been coming into the houses and the residents one being feeling ill health.

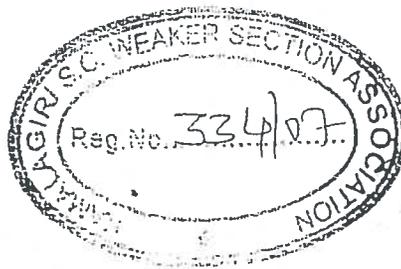
Kindly take necessary action as soon as possible.

Thanking you.

Sd

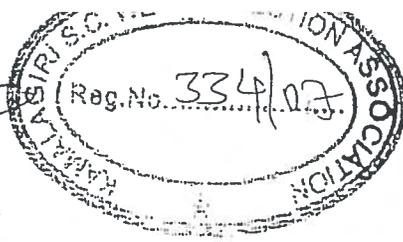
N. Venugopal

P.John



41

Sl. No.	NAME	ADDRESS	SIGNATURE
1	C.G. DURGA PRASAD	SCB NO 7-19-064	Prasad
2	C. BHARATHAMA	SCB NO 7-19-065	Prasad
3	D. SUSHEELAMMA	SCB NO 7-19-070	Prasad
4	RAKESH	SCB NO 7-19-069	RAKESH
5	MARY ROBERT	SCB NO 7-19-066	M.R.
6	P. LAVANYA	SCB NO 7-19-067	LAVANYA
7	G. Sanjeeva	SCB NO 7-19-076	Shiva
8	SHIVA NARYAN	SCB NO 7-19-260	SHIVA
9	TRAJESH	SCB NO 7-19-060	RATESH
10	C. NARSING	SCB NO 7-19-061	Narsing
11	ANAPURNA	SCB NO 7-19-259	ANAPURNA
12	JOSOPH	SCB NO 7-19-058	H. JOSEPH
13	ALLUVELU	SCB NO 7-19-062	Alluvelu
14	James David	SCB NO 7-19-057	James David
15	D. Philip	SCB NO 7-19-056	Philip
16	Rami	SCB NO 7-19-059	Rami
17	SAI	SCB NO 7-19-055	SAI
18	P. SUMAN	SCB NO 7-19-052	SUMAN
19	P. SUDHAKAR	SCB NO 7-19-053	Pallavi
20	P. PADARHAKAN	SCB NO 7-19-054	Pr



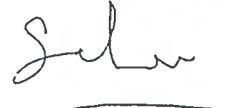
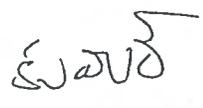
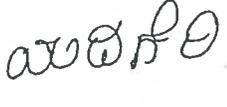
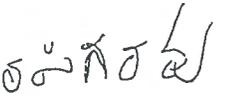
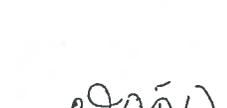
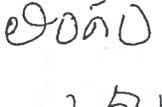
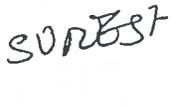
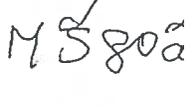
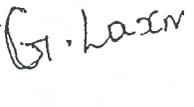
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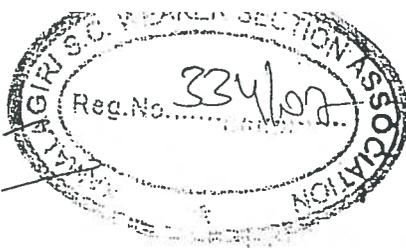
2

NO.	NAME	ADDRESS	SIGNATURE
1	G. SATYANARYAN	SCB. NO. 7-19-050	ಸತ್ಯನಾರಾಯಣ
!	C. TRAMESH	SCB. NO. 7-19-051	C. TRAMESH
,	MALLESH	SCB. NO. 7-19-047	MALESH
!	D. KRISHNA	SCB. NO. 7-19-037	ಕೃಷ್ಣ
	C.M. PANDU	SCB. NO. 7-19-038	ಪಾಂಡು
	SAVITRI	SCB. NO. 7-19-046	ಸವಿತ್ರಿ
	SADHANAND	SCB. NO. 7-19-045	ಸದಾನಂದ
	SWAPANA	SCB. NO. 7-19-044	SUAPANA
	SURENDAR	SCB. NO. 7-19-043	ಸುರೇಂದ್ರ
	LAXMI	SCB. NO. 7-19-042	ಲಕ್ಷ್ಮಿ
	M. DURGA PRASAD	SCB. NO. 7-19-041	ಮದ್ದುಗುಪ್ತ
	M. VIJAYA LAXMI	SCB. NO. 7-19-040	ವಿಜಯಲಕ್ಷ್ಮಿ
.	N. NAGENDER	SCB. NO. 7-19-039	NAGENDER
	M. DARSHAN	SCB. NO. 7-19-035	ದರ್ಶನ್
:	D. SWAMY	SCB. NO. 7-19-032	ದತ್ತ

334/07

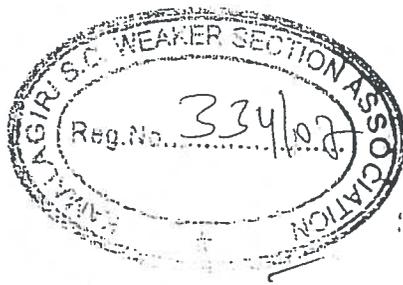
43

Sl No	NAME	ADDRESS	SIG NATURE
36	RAJKUMAR	SCB NO 7-19-029	
37	ARUN KUMAR	SCB NO - 7-19-030	
38	SELVA RAJ	SCB NO 7-19-022	
39	SHIVA KUMAR	SCB. NO 7-19-028	
40	D. KUMAR	SCB. NO. 7-19-166	
41	D. YADAGIRI	SCB. NO . 7-19-167	
42	D. NARSHINGH RAO	SCB. NO 7-19-162	
43	D. NAGARAJU	SCB NO . 7-19-161	
44	D. LINGAAM	SCB NO. 7-19-168	
45	G. VIJAY KUMAR	SCB NO . 7-19-160	
46	G. SURESH	SCB NO . 7-19-159	
47	G. VANITHA	SCB. NO 7-19-158	
48	M. KALAVATHY	Sc. B No - 7-19-165	
49	M. DAYANAND	SCB No - 7-19-164	
50	G. LAXMI	SCB No - 7-19-156	

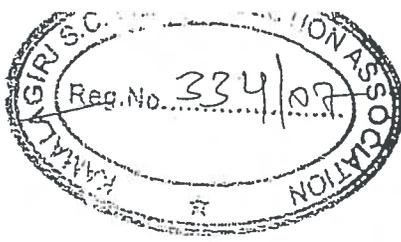


4.

S. No.	NAME	ADDRESS	Sign
	V. GEETHA	7-19-145	V.G.
	E. BABU RAO	7-19-143	B.
	B. SRINIVAS RAO	7-19-146	B.S.
	M. NARENDAR	7-19-154	Narendra
	B. DURGA RAO	7-19-148	Burda
	M. PENTAIAN	7-19-135	Nandini
	O. MANJULA	7-19-139	Manjula
	S. MAHA LAXMI	7-19-149	S. Mahi
	G. GOPAL	7-19-134	G. Gopal
	G. PRADEEP	7-19-144	G. Pradeep
	R. NAVNEETA	7-19-133	D. Navkata
	E.M. SARASWATHI	7-19-129	E.M. Sarathi
	J.E. BENHUR	7-19-085	J.E. Benhur
	C.M. SUBRAMANYAM	7-19-141	C.M. Subramanyam
	K.M. KIRAN	7-19-142	K.M. Kiran
	S. N. SONITHA	7-19-088	N. Shyamala
	Z. J. RUPATHI	7-19-026	Z.R. Rupathi



Sl. No	NAME	ADDRESS	SIGNATURE
68	N. Venkatesh	7-19-128	[Signature]
69	Mamamma	7-19-122	Mani
70	Nagaraj	7-19-171	Nagaraj
71	Vijaya Lakshmi	7-19-040	[Signature]
72	SAIVANARAYAN	7-19-027	[Signature]
73	B. G. VIJAYA	7-19-016	[Signature]
74	P. VIJAYA (JAYA)	7-19-018	[Signature]
75	SANGEETHA	7-19-19	Sangeetha
76	(W/O) JAYAMMA	7-19-20	Jayamma
77	PAVAN	7-19-014	[Signature]
78	SELVARAJ	7-19-13	[Signature]
79	KASTHOORI	7-19-171	Kasthuri
80	RAJU	7-19-186	[Signature]
81	SURESH	7-19-182	[Signature]
82	JAYAMMA	7-19-181	[Signature]
83	B. RAVI	7-19-191	[Signature]
84	B. RAJESH	7-19-192	[Signature]
85	Sulma	7-19-201	[Signature]



46

6

SL NO.	NAME	ADDRESS	SIGNATURE
85	ALEXANDER	7-19-187	<i>[Signature]</i>
87	Shanthamma	7-19-189	<i>[Signature]</i> B. Shantha
88	Radha Laxmi	7-19-190	<i>[Signature]</i> B. Radha
89	Ganesh	7-19-203	<i>[Signature]</i>
90	Yadamma	7-19-253	
91	Vijay	7-19-210	<i>[Signature]</i> Vijay
92	Bommallesh	7-19-215	<i>[Signature]</i>
93	Venkat Swamy	7-19-216	<i>[Signature]</i>
94	Krishna Venk	7-19-247	<i>[Signature]</i> Deepika
95	Mahender	7-19-246	<i>[Signature]</i> Mahender J.R. Subbarao
96	SALUBARI	7-19-251	<i>[Signature]</i> J.R. Dukanya
97	Ramm	7-19-248	
98	Laxmi	7-19-252	<i>[Signature]</i> Puppy - Laxmi
99	Charan	7-19-249	<i>[Signature]</i> Arebare
100	<del>KA</del> Kanya Kumar	7-19-244	<i>[Signature]</i> Kaniya Kumar

47

Exhibit R-9





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55

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

WEDNESDAY, THE SECOND DAY OF MARCH  
TWO THOUSAND AND TWENTY TWO

PRESENT

HONOURABLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA  
AND  
THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 9997 OF 2022

Between:

Dr.M.S. Tejashwari, D/o Late M. Satyanarayana Reddy, Aged 44 years,  
Occupation. Consultant, R/o Plot No.1, Chandragiri Colony, Trimulgherry,  
Secunderabad-500015

...PETITIONER

AND

1. The Union of India, Represented by its secretary, Ministry of Environment and forests, New Delhi
2. The Telangana State Pollution Control Board, Represented by its Member Secretary, A-3, Parvathan Bhavan, Sanath Nagar Rd, Sanath Nagar Industrial Estate, Sanath Nagar Hyderabad, Telangana. 500018
3. The Cantonment Board, Secunderabad, represented by its The Chief Executive Officer, Secunderabad.
4. The Defence Estates Officer, Secunderabad Cantonment, Court Compound, S.P.Road, Secunderabad.
5. The State of Telangana, Represented by its Secretary (Forests) Secretariat Building, 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 or direction more in the nature of Writ of Mandamus declaring the inaction of the respondent number 2 in not preventing the pollution of the petitioners land and also the inaction of the 2nd respondent in giving appropriate directions to the 3rd respondent to prevent the pollution by illegal activities of the land encroachers and slum dwellers and not preventing the illegal laying of the drainage pipes by the slum dwellers thereby allowing the sewage water to flow onto the land of the petitioner in Sy.Nos. 96-99 Trimulgherry Village and Mandal, Secunderabad as illegal and unjust and consequently direct the respondent no.2 to prosecute the Chief Executive Officer

respondent no.3 under the provisions of the Water (Prevention of Pollution) Act 1974 within a time framework in the interest of justice.

1 OF 2022

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 2nd respondent to immediately take measures for taking action under the Water (Prevention of Pollution) Act, 1974 against the respondent no.3 for not taking steps to stop the drainage from flowing onto the petitioners land in the Survey Nos. 96/e, 97/a, 98/a, (part of Sy.Nos.96, 97, 98) of Trimulgherry Village and Ward No. 15, Secunderabad and invoke the provisions of the Water (Prevention of Pollution) Act 1974 especially under section 33A to give a proper direction like suspension or regulation of supply of electricity, water or any other services to the respondent who are polluting the environment and water and also initiate penal proceedings under section 41 and 48 of the above said Act, the Head Of The Pollution Control Board, i.e., the 3rd respondent in the interest of justice.

Advocate for the Petitioner : SRI. R RANGANATHAN

Advocate for the Respondent No.1 : SRI. NAMAVARAPU RAJESHWAR RAO, SC  
BENCH OF INDIA

Advocate for the Respondent No.2 : SRI. P. SIVA KUMAR, SC FOR TSPCB

Advocate for the Respondent Nos.3 & 4 : SRI. K.R. KOTSHWAR RAO, SC FOR  
POLLUTION CONTROL BOARD

Advocate for the Respondent No.5 : GP FOR FOREST DEPARTMENT

Court made the following : ORDER

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THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.9997 of 2022

ORDER: (Per the Hon'ble the Chief Justice Satish Chandra Sharma)

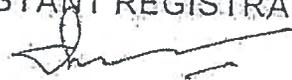
Learned counsel for the petitioner prays for withdrawal of the present writ petition, with a liberty to approach the National Green Tribunal.

The writ petition is accordingly dismissed as withdrawn with the aforesaid liberty.

Pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

SD/-V.SUDHA  
ASSISTANT REGISTRAR

  
SECTION OFFICER

To,

1. One CC to SRI. R RANGANATHAN, Advocate [OPUC]
2. One CC to SRI. SRI. NAMAVARAPU RAJESHWAR RAO, SC FOR UNION OF INDIA Advocate [OPUC]
3. One CC to SRI. P. SIVA KUMAR, SC FOR TSPCB [OPUC]
4. One CC to SRI. K.R. KOTESHWAR RAO, SC FOR CANTONMENT BOARD [OPUC]
5. Two CCs to GP FOR FOREST, High Court for The State of Telangana at Hyderabad.
6. Two CD Copies.
7. One Spare Copy.

AU

SB

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HIGH COURT

DATED:02/03/2022

ORDER

MP.No.9997 of 2022



DISMISSING AS WITHDRAW OF WP  
WITHOUT COSTS

⑨ VLV  
21/3/22



	Accts:	
	TS	
	Rev. supdt	
<i>10/20/47</i>	<i>1/10/48</i> Hs	
	Stores	
	V.I.	
	G.B.	
	B.C.	
	R.K.	



**FEASIBILITY REPORT FOR THE PROPOSED OUTFALL SEWER/STROM WATER LINE AT  
CHINNAKAMELA TIRUMALAGERRY (Ward NO-7)**

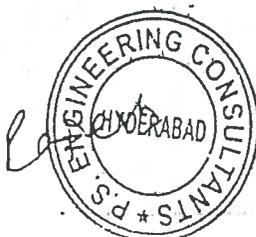
Sewage/Strom water from the U/s area of ChinnaKamela is presently disposing into cesspool through the Pacca & Katcha Drains located in the adjacent private land. This is causing for the unhygienic conditions in that area. To overcome this issue, Cantonment Board is intended to provide a sewer/strom water line as an outfall sewer. There are three options to dispose the drain water into the lake/open nala as shown in the enclosed maps with Mean Sea Level (MSL) readings, the detail explanation is as follows:

**Option 1**, Where two stretches Node N1 to N3 and Node N2 to N3 as shown in the map will merge and dispose to Tirumalagiri Lake through N3 to N4 Stretch. Option 1 should be pass through rocky strata & will pass along/across the Bund of Lake which economically not viable. Moreover, this may disturb & reduce the strength of the bund. Moreover there is a possibility of backflow resulting in inundation in downstream when the lake reaches to Full Tank Level (FTL) especially during the rainy season.

**Option 02**, Where two stretches Node N1 to N3 and Node N3 to N2 dispose directly to N4 from N2 as shown in the map. But Option 02 alignment is passing through the narrow right of way & will be encounter with existing pipe line. In Option 2 the strom/drain water line has to take sharp curve of nearly 120 degrees as shown in the map so as to connect to the existing strom/sewage drain line which is practically not feasible for efficient discharge of water and may also result in accumulation of stilt due to low flow velocity. Moreover, there is a possibility of backflow resulting in inundation in downstream when the lake reaches to Full Tank Level (FTL) especially during the rainy season.

**Option 03**, in this proposal, we can divert the sewage/Strom water directly into the open nala at the downstream across the open land in GLR sy.no 352(part) Where three stretches Node N2 to N3, Node N3 to N1 and Node N1 to N5 as shown in the map which is about 234m. There is a steep gradient observed in the topographical survey (i.e, 550.318 to +544.7313) as shown in the map, for which drain/strom water will dispose directly from N2 to N1 via N3 as shown in the map & dispose to the open nala at N5 from N1.

Hence as per the options available on the ground/site condition. It is recommended to lay a underground drainage line (ugd) line as per **Option 03** as shown in the map which is best feasible/economical and efficient to discharge the strom/drain water from upstream to downstream.



**Regarding Option 03:****Stretch from Node N2 to N3 (35m) at ChinnaKamela:**

This stretch is to be served about 5.74Hect. As per CPHEEO manual for Sewerage guidelines, the population considered as 1000per/Hect. Hence, the assessed sewage generation is about 1.619MLD with a peak factor of 2.25. The sewer line to be laid for about 35mts with a slope of 1 in 600. Then the diameter assessed is 300mm dia& the Material of Construction is RCC NP4 S/S. The pipe invert level is proposed such that the pipe should have a minimum clear cover of 1.00mts.

**Stretch from Node N3 to N1(38m) at ChinnaKamela:**

This stretch is to be served about 9.52Hect. As per CPHEEO manual for Sewerage guidelines, the population considered as 1000per/Hect. Hence, the assessed sewage generation is about 2.684MLD with a peak factor of 2.25. The sewer line to be laid for about 38mts with a slope of 1 in 600. Then the diameter assessed is 300mm dia& the Material of Construction is RCC NP4 S/S. The pipe invert level is proposed such that the pipe should have a minimum clear cover of 1.00mts.

**Stretch Node N1 to N5 (162m) upto Tirumalagiri Lake disposal point:**

This stretch is to be served about 6.72Hect. As per CPHEEO manual for Sewerage guidelines, the population considered as 1000per/Hect. Hence, the assessed sewage generation is about 1.895MLD with a peak factor of 2.25. But by combining all the U/s flow, the assessed total peak flow is about 6.221MLD. The sewer line to be laid for about 163mts with a slope of 1 in 50. Then the diameter assessed is 450mm dia& the Material of Construction is RCC NP4 S/S. The pipe invert level is proposed such that the pipe should have a minimum clear cover of 1.00mts. At the end of the disposal point, a Drop required.

**Regarding Option 02:****Combined Stretch Node N3 to N4(120m) upto Tirumalagiri Lake:**

This stretch is to be served about 6.72Hect. As per CPHEEO manual for Sewerage guidelines, the population considered as 1000per/Hect. Hence, the assessed sewage generation is about 1.895MLD with a peak factor of 2.25. But by combining all the U/s flow, the assessed total peak flow is about 6.221MLD. The sewer line to be laid for about 120mts with a slope of 1 in 300. Then the diameter assessed is 450mm dia& the Material of Construction is RCC NP4 S/S. The pipe invert level is proposed such that the pipe should have a minimum clear cover of 1.00mts. At the end of the disposal point, a Drop required.

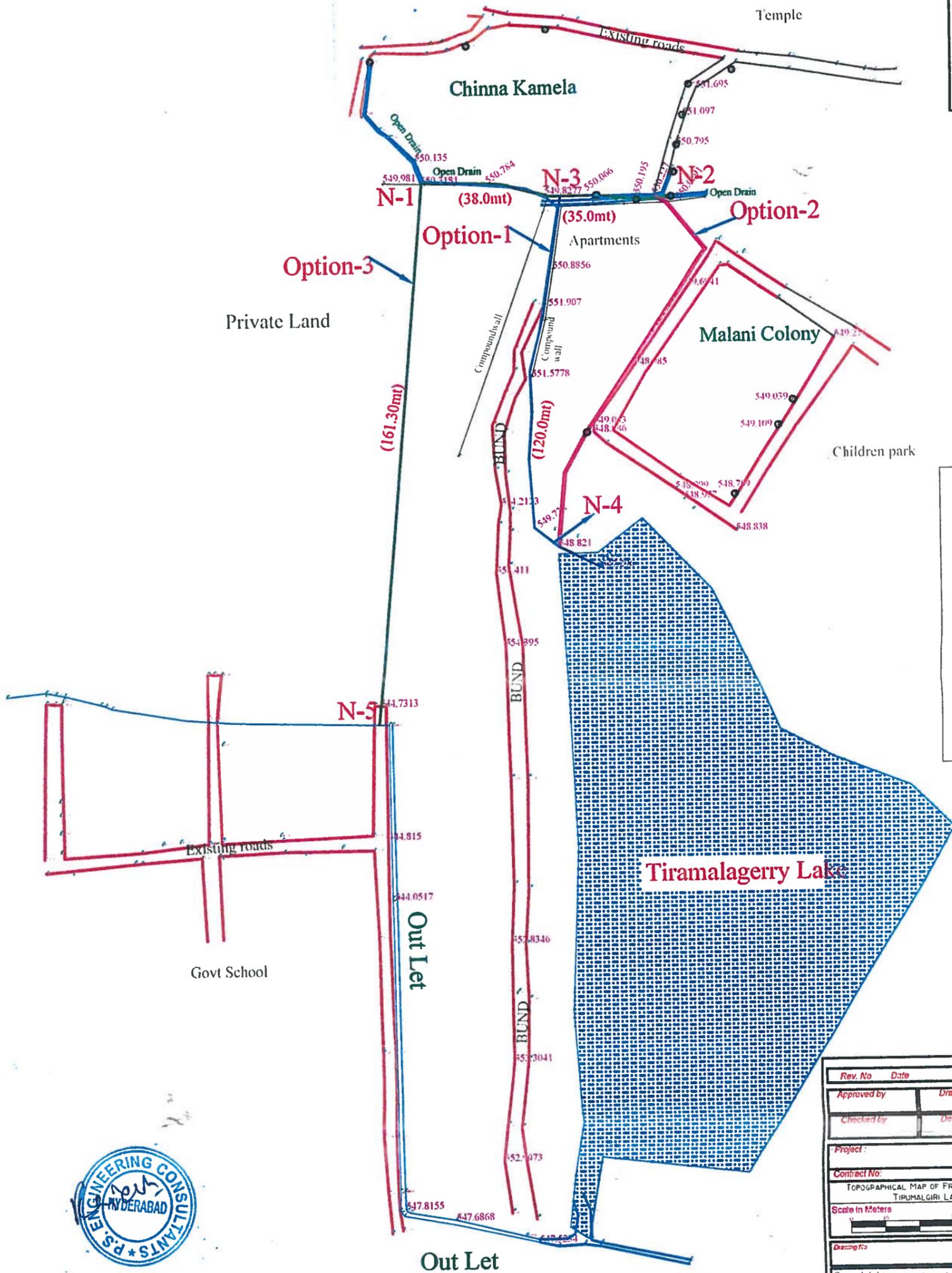


**CEO, CANTONMENT BOARD SECUNDERABAD**

**THE PROPOSED OUTFALL SEWER LINE OF LENGTH 234M FOR THE  
U/s Chinna Kamala at TIRUMALA GIRI LAKE (Ward NO-7)**

Agency Name : P.S ENGINEERING CONSULTANTS

# TOPOGRAPHICAL MAP OF PROPOSED DRAIN AT CHINNA KAMELA-TIRUMALAGERRY LAKE CATCHMENT AREA



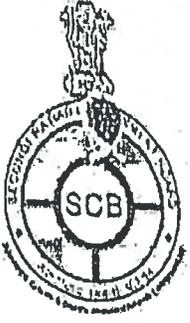
**LEGEND**

- MANHOLE
- MUD ROAD
- BT ROAD
- CC ROAD
- BUND
- OPTION 1
- OPTION 2
- OPTION 3



Rev. No	Date	Remarks
Approved by	Drawn by	Purpose
Checked by	Designed by	
Project:		
Contract No:		
TOPOGRAPHICAL MAP OF PROPOSED DRAIN AT CHINNA KAMELA TIRUMALAGIRI LAKE CATCHMENT AREA		
Scale in Meters		
Drawing No	Piv. No	
Consultant: <b>P.S. Engineering Consultants</b> #3-4-50/3, New Narasimha Nagar, Malpuri Hyderabad - 500 078. TEL: +91-9095734700, +91-9949979325 E-Mail: rajesh@sede.co.in		
Client: <b>CEO, Cantonment Board</b> Secunderabad		

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## सिकंदराबाद छावनी परिषद

सरदार पटेल मार्ग, कोर्ट हीरा परिसर, सिकंदराबाद 500003

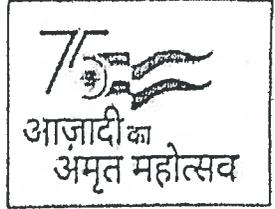
दूरवानी संख्या ०४० -२७८०८६०० / ०४० -२७८०८६०१

## SECUNDERABAD CANTONMENT BOARD

SARDAR PATEL ROAD, COURT COMPOUND, SECUNDERABAD 500003

Tel No. 040-27808600 / 040 - 27808601

Email ID: cco.scb2009@gmail.com



Lr.No.SCB/RS/S.Charges/TSSPDCL/2021-22/907-

Dated 04-04-2022.

To

1. Dr. M.S. Raghavender,  
S/o Lat M. Sathyanarayana Reddy,  
R/o Plot No.1, Chandragiri Colony,  
Trimulgherry, Secunderabad - 500015.  
Ph: 8501037390
2. Dr. M.S. Tejashwari  
D/o Laate M. Sathyanarayana Reddy,  
R/o H.No.3-16-668/A,  
Beside Shahi Biryani Darbar Restaurant,  
Trimulgherry Cross Roads,  
Secunderabad - 500015.  
Ph: 7702892451

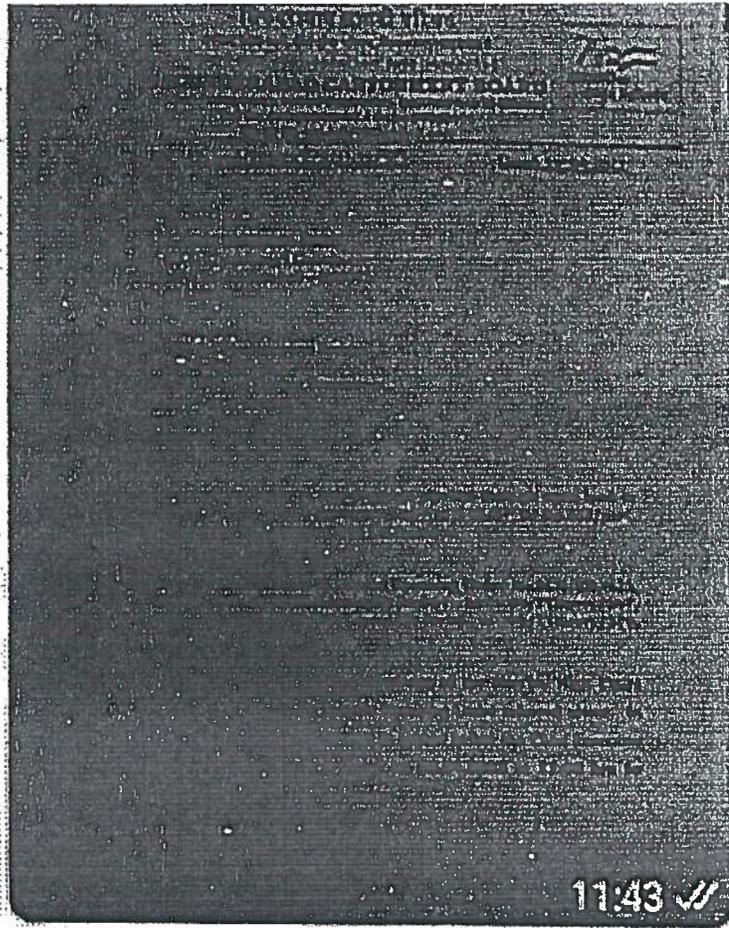
Sub:- Proposal for laying of new drainage pipeline through open land in Sy.No.96 to 99 corresponding to GLR Sy.No.352/part, Trimulgherry, Secunderabad Cantonment.

Reference, this office letter (i) Interim Speaking Order No.SCB/EB/623, Dt.09.03.2022. (ii)No.SCB/EB/Layout/Sy.No.96 to 99/T'Gherry/597, dt.04.03.2022 and (iii)Nq.SCB/EB/Layout/Sy.No.96 to 99/T'Gherry/579, dt.03.03.2022,

2. It is to inform that, as per the directions of the Hon'ble High Court Orders, this office has passed an Interim Speaking Order referred above. In this connection, you are hereby requested to appear before the Chief Executive Officer, Secunderabad Cantonment Board on 08.04.2022 at 11:00 hrs for taking further necessary action in the matter.

Chief Executive Officer  
Secunderabad Cantonment Board

04/04/22  
A.S. acB.



8 April 2022

Good morning, sir, I would like to inform you in advance that we are not in a position to attend today's meeting as I have to undergo examination for my surgery and also my family members are also not in good health due to sewage being let out into our patta land. I have not received the letter dated 04.04.2022 and only came to know through your WhatsApp message yesterday only. Also, today early morning my family well-wisher expired. We have already appeared before the CEO-SCB as per the Hon'ble High court direction on 07.03.2022. please take a note of the above-mentioned circumstances. Thank you.

09:23

 Message



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[ 3215 ]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
TUESDAY, THE NINETEENTH DAY OF APRIL  
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE DR. JUSTICE G.RADHA RANI  
WRIT PETITION NO: 19579 OF 2022

Between:

Dr.M.S.Raghavender, S/o Late M. Satyanarayana Reddy.

Petitioner

AND

1. The Union of India and another, Represented by its secretary, Ministry of Defence, New Delhi.
2. The Cantonment Board, Secunderabad, represented by its The Chief Executive Officer, Secunderabad

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 or direction more in the nature of Writ of Mandamus a) declaring the action of the respondent no.2 in demolishing and damaging the portions of the northern side and eastern side boundary wall protecting the petitioners lands in Sy.Nos. 96/e, 97/a, 98/a, (part of 96, 97, 98) of Trimulgherry Village and Mandal, Secunderabad and digging channels to drain the sewage generated by the encroachers into the agricultural land and well of the petitioner as illegal, arbitrary and violative of Article 14, 19, 21, 300A of the Constitution of India as well as opposed to the provisions of the Environment Protection Act, and the Air and Water Pollution Act consequently direct the respondent no.2 to pay compensation of Rs.5,00,00,000/- within a time framework b) declaring the action of the respondent no.2 in passing the interim order dated 9.3.2022 restraining the petitioner from reconstruction of the compound wall or stopping the sewage from draining into the land and well of the petitioner being illegally let into it by the 2nd respondent as illegal and arbitrary and against the provisions of the Cantonments Act, 2006. c) declaring the proposal of the respondent no.2 to lay a public drain through the land of the petitioner as illegal, arbitrary and against the provisions of the Cantonments Act, 2006 and also opposed to the order of this hon'ble court in W.P.No.8942 of 2022 dated 2.3.2022 and to declare the interim order passed on 9.3.2022 in letter no.SCB/EB/632 of the 2<sup>nd</sup> respondent as illegal, arbitrary and opposed to the orders passed in W.P.No.8942 of 2022 and consequently set aside the same in the interest of justice d) To declare the action of the 2nd respondent in interfering with the construction of the compound wall which did not require any permission from 2nd respondent as illegal and opposed to the provisions of the Cantonments Act. e) And consequently restrain the 2nd respondent from diverting the sewage into the property of the petitioner and not to interfere with the construction of the compound wall by the petitioner to his property:

IA NO: 1 OF 2022

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 restrain the respondent no.2 and its agents and contractors or persons claiming under it from laying any pipeline through the land of the petitioner in the petitioner's lands in Sy.Nos. 96/e, 97/a, 98/a, (part of 96, 97, 98) of Trimulgherry Village and Mandal, Secunderabad, Pending disposal of WP 19579 of 2022, on the file of the High Court.

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The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI R RANGANATHAN Advocate for the Petitioner, SRI NAMAVARAPU RAJESHWAR RAO (ASSGI) for the Respondent no.1, SRI K.R. KOTESHWAR RAO, Advocate for the respondent no.2, and the Court made the following.  
ORDER

Learned Assistant Solicitor General of India had taken notice for Respondent No.1.

Heard the learned counsel for the petitioner and the learned Standing Counsel for Respondent-Cantonment Board.

Learned counsel for the petitioner submitted that the respondents have passed an interim Order on 09.03.2022 as against the direction of the Division Bench in WP.NO. 8942 of 2022 to pass a final order and no relief was granted to him.

The learned Standing Counsel for the respondent-Cantonment Board submitted that the writ petition was premature as no final order was passed, the final orders would be passed within a short time; the technical report for providing appropriate drainage line was also available.

As such, it is considered fit to direct the respondents to dispose the matter finally within a week by 26-04-2022 as per the direction of the Division Bench in VP.No. 8942 of 2022.

SDF P. PADMANABHA REDDY  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

1. The Secretary, Ministry of Defence, The Union of India, New Delhi. (by RPAD)
2. The Chief Executive Officer, The Cantonment Board, Secunderabad, Secunderabad. (by RPAD)
3. One CC to SRI. R RANGANATHAN Advocate [OPUC]
4. One spare copy

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Exhibit-R-17

# सिकंदराबाद छावनी परिषद

सरदार पटेल मार्ग, कोर्ट हौस परिसर, सिकंदराबाद 500003

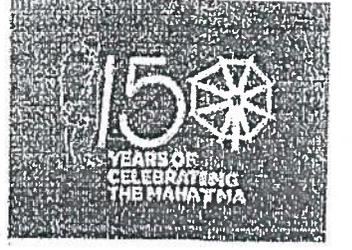
दूरवानी संख्या ०४० २७८०८६०१ - ०४० / २७८०८६०० -

## SECUNDERABAD CANTONMENT BOARD

SARDAR PATEL ROAD, COURT COMPOUND, SECUNDERABAD 500003

Tel No. 040-27808600 / 040 - 27808601

Email ID: ceo.scb2009@gmail.com



Lr.No.SCB/EB/Layout/Sy.No.96 to 99/T'Gherry/1065

Dt: 23.04.2022.

To

1. Dr. M.S. Raghavender,  
S/o. late M. Satyanarayana Reddy,  
R/o. Plot No.1, Chandragiri Colony,  
Trimulgherry, Secunderabad - 500 015.  
Mobile: 8501037390
2. Dr. M.S. Tejashwari,  
D/o. late M. Satyanarayana Reddy,  
R/o. H.No.3-16-668/A,  
Beside Shahi Biryani Darbar Restaurant,  
Trimulgherry Cross Roads,  
Secunderabad - 500 015.  
Mobile: 7702892451.

**Sub: Proposal for laying of new drainage pipeline through open land in Sy.No.96 to 99 corresponding to GLR Sy.No.352/part, Trimulgherry, Secunderabad Cantonment - Final Orders in compliance of the Common Order passed by the Hon'ble Division Bench of High Court of Telangana in WP No.8942/2022 and WP No:17131/2022 dated 02.03.2022.**

- Ref:
- i) This Office Letter No.SCB/EB/Layout/Sy.No.96 to 99/ T'Gherry/ 425, dated 16.02.2022.
  - ii) Common Order passed by Hon'ble Division Bench of Telangana High Court in WP No.8942/2022 and WP No.17131/2022.
  - iii) Interim Speaking Order No.SCB/EB/632 dated 09.03.2022.
  - iv) Your Notice on demolition of Northern and Eastern Boundary Wall and illegal diversion of sewage into the land of Dr. M.S. Raghavender Reddy dated 30.03.2022.
  - v) Feasibility Report for proposed outfall sewer/storm water line at Chinna Kamela, Trimulgherry (Ward No.7) with Plan and a covering letter dated 01.04.2022 submitted to the CEO/SCB and received on 04.04.2022.
  - vi) This Office Letter No.SCB/RS/21-22/907 dated 04.04.2022 for appearance before CEO/SCB.
  - vii) WhatsApp Message of Addressee No.1 dated 08.04.2022 as a reply to letter dated 04.04.2022.
  - viii) W.P.No.19579/2022 filed by Addressee No.1 of you, questioning Interim Order dt.09.03.2022 passed by the

मुख्य अतिरिक्त अधिकारी,  
CHIEF EXECUTIVE OFFICER,  
सिकंदराबाद छावनी परिषद  
SECUNDERABAD CANTONMENT BOARD

Page 1 of 7

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CEO/SCB and also seeking compensation of Rs.5.00 Cr. and also not to lay public drain through the land of the Petitioner i.e., Addressee No.1.

\* \* \*

Vide reference (i) cited, the undersigned, in exercise of powers conferred 'Sec.213 and 224 of the Cantonments Act 2006, had issued a Notice for laying an underground storm/drain water pipeline passing through your movable property in Sy.No.96 to 99, Trimulgherry, Secunderabad Cantonment, due to the exigencies mentioned in the said reference Notice. Thereafter, the Hon'ble Division Bench of the High Court of Telangana through common order vide ref.(ii) cited has directed No.1 of you to appear before the undersigned on 07.03.2022 @ 10:30 AM and thereafter the Cantonment Board will be free to cause appropriate final order in accordance with law and in the orders are passed against you, there shall be no coercive action against you for a period of 2 weeks from the date of passing final order.

Pursuant to the directions of the Hon'ble High Court, No.1 of you have appeared before the undersigned on 07.03.2022 @ 10:30 AM along with your advocate, Sri R. Ranganathan and submitted that, Notice issued through ref. (i) cited, under Sec.213 and 224 of the Cantonments Act 2006 for laying an underground storm/drain water pipeline. Section 213 refers to "any premises are in the possession of Chief Executive Officer, without sufficient means of effectual drainage to a cantonment drain or some place approved by the Chief Executive Officer, if the discharge of filth or other polluted and obnoxious matter is situated at a distance of not exceeding 30 metres from any part of the said premises, he may, by written notice, require the owner of the said premises to make a drain leading into such cantonment drain or place... .., but in this case, the drain is more than 30 metres distance." Your Counsel further submitted that, under Sec.224 of the Cantonments Act 2006, the Chief Executive Officer may, by order in writing, authorize the owner of the premises to place or carry such drain, under, along or across such immovable property. Whereas, the owner of the property in this case is Central Government, but the people residing adjacent to the land of the Petitioners are encroachers of the Defence

In response to such submission, the undersigned has clarified that, it is the primary duty of the Board to maintain health and hygiene of residents of the Cantonment Board, the Board has power of laying drainage line in a manner as provided in accordance with the Cantonments Act 2006. The undersigned has further clarified that, since the occupants of the land are not in a position to lay a drain, the Cantonment Board can lay the drain to maintain health and hygiene of the people. Regarding construction of compound wall, without any

मुख्य अधिशासी अधिकारी,  
CHIEF EXECUTIVE OFFICER, Page 2 of 7  
सिक्ंदराबाद कान्ठमन्टी बोर्ड  
SECUNDERABAD CANTONMENT BOARD

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permission and the NOC relied upon by the Petitioner is only from land point of view issued by AQMG (lands), but permission for erection of boundary wall is to be obtained from the undersigned. Whereas, the Father of the Addressees No.1 & 2 had not obtained any permission for construction of such boundary wall.

4. On such clarification regarding proposal for laying of underground pipeline by the undersigned, Sri R. Ranganathan, your Advocate, has submitted that, the drainage line which is proposed to be laid by the Cantonment Board through the property of the Addressees No.1 & 2, can be diverted and laid alongside Eastern part of the property and can be connected to the existing drain line at Malani Colony and a Representation in these lines would be submitted in due course.

5. After hearing the submissions of your Advocate regarding alternate drain line as per the proposal, the undersigned has clarified that, such proposal would be looked into after the feasibility report submitted by the Technical Staff of the Office.

6. So as to look into the proposal for alternate drain line, pursuant to the Feasibility Report, an Interim Speaking Order ref. (iii) cited above was passed by the undersigned, wherein it was suggested that, the suggestion for alternate drainage line would be looked into after Feasibility Report is submitted and till such time the you are directed not to block the existing drain flow until an alternate drain line is constructed and even advised to extend cooperation for inspection, so as to submit the Feasibility Report. For the said purpose, M/s. P.S. Engineering Consultants has been appointed to study the alternate drain line proposal as suggested by your Advocate, and to submit a Feasibility Report.

7. While this being so, after service of Interim Speaking Order dated 09.03.2022, ref.(iii) cited and when the Technical Committee is in the process of submitting its Feasibility Report, without waiting for the further course of action to pass a Final Order as per the Orders of the Hon'ble High Court, the Addressee No.1 of you have issued a Notice dated 30.03.2022, the ref.(iv) cited, making bald allegations against the officials of the Secunderabad Cantonment Board, alleging that illegally trespassing into your property and you have further expressed your intension to take steps to prosecute the undersigned for draining sewage into your lands and demolition of compound wall and directed to reconstruct the same, otherwise, you would be constrained to reconstruct the compound wall and you further called upon the undersigned to clean the agricultural well of the sewage, etc. All these pleadings were

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raised in your Writ Petitions in WP Nos.8942/2022 and 17131/2022 and those allegations were denied by the undersigned by filing a detailed counter affidavit along with material documents. After going through the pleadings from both sides, the Division Bench of the Hon'ble High Court of Telangana passed a common order on 02.03.2022 directing you to appear before the Chief Executive Officer of the Secunderabad Cantonment Board, the undersigned herein, on 07.03.2022 and afterwards the undersigned is directed to pass a final order in accordance with law. Before passing a final order by the undersigned, again raised the same issues in your Notice dated 30.03.2022, vide ref.(iv) cited, before passing a final order by the undersigned, which amounts to disobedience of the orders passed by the Hon'ble High Court.

In the meanwhile, the said Consultants have visited the subject area and prepared a topographical map of the proposed drain line at Chinna Kamela, Simulgherry, Lake Catchment Area, and also prepared a Feasibility Report, vide ref.(iv) cited above, and submitted the same to the undersigned for further course of action vide their letter dated 01.04.2022, ref.(v) cited above, which is received on 04.04.2022.

Subsequent to receipt of Feasibility Report, the undersigned addressed a letter dated 04.04.2022 to both of you, the ref.(vi) cited above, and requested to appear before the undersigned for taking further necessary action on the matter.

In response to the said letter, a reply from the Addressee No.1 of you has been received through WhatsApp dated 08.04.2022, ref. (vii) cited above, wherein you expressed your difficulties to appear before the undersigned, as stated in the message. However, in the said message, you have further stated that you had already appeared before the undersigned as per the directions of the Hon'ble High Court on 07.03.2022 and requested to take note of the above mentioned circumstances. But, there is no specific request from your side regarding that you would like to appear before the undersigned on some other ground for taking further action in the subject matter.

In the meanwhile, the undersigned has perused the Feasibility Report submitted by M/s. P.S. Engineering Consultants, wherein for outfall of storm water through underground pipeline connecting into the open nala, as shown in the enclosed map with Mean Sea Level (MSL), various options were suggested. **Option 1** indicates that, the underground line should pass through rocky strata and will pass along or across the bund of which economically not viable. Moreover, this may disturb and reduce the strength of the bund. Further, there is a possibility of backflow (water)

मुख्य अधिशासी अधिकारी,  
CHIEF EXECUTIVE OFFICER,  
सिकंदराबाद कान्ठमेन्ट परिषद  
SECUNDERABAD CANTONMENT BOARD

resulting in inundation in downstream when lake reaches to Full Tank Level (FTL) especially during rainy season. **Option 2** suggests that, the storm/drain water line has to take sharp curve of nearly 120° as shown in the map so as to connect to the existing storm/sewage drain line which is practically not feasible for efficient discharge of water and may also result in accumulation of silt due to low flow velocity. Moreover, there is a possibility of backflow (water) resulting in inundation in downstream when lake reaches to Full Tank Level (FTL) especially during rainy season. In **Option 3**, the sewerage/ storm water can divert into the open nala at the downstream across the open land in GLR Sy.No.352/part (Sy.No.96 to 99) where three stretches Node N2 to N3, Node N3 to N1 and Node N1 to N5, as shown in the map which is about 234 mtrs., there is a steep gradient observed in the topographical survey (i.e., 550.318 to 544.7313) as shown in the map, due to which, the drain/storm water will dispose directly from N2 to N1 via N3, as shown in the map and disposed into the open nala at N5 from N1. Out of the above three options, the **Consultants recommended Option 3**, to lay underground drain line, as shown in the map, which is the best feasible and economical and efficient to discharge the storm/drain water from upstream to downstream.

12. ~~Strangely, by showing scant respect to the common order passed by the~~ Division Bench of the Hon'ble High Court of Telangana, before passing a final order, you have once again approached the Hon'ble High Court and filed a Writ Petition in WP No.19579/2022 praying the Hon'ble Court declaring the action of the 2<sup>nd</sup> Respondent i.e., the undersigned, in passing Interim Speaking Order dated 09.03.2022, as null and void and demolition of compound wall is also to be declared as illegal, arbitrary and also to declare the proposal of the undersigned to lay the public drain through your lands and also to declare the action of the undersigned in interfering with the construction of compound wall which you did not require any permission. The filing of the said Writ Petition, before passing a final order by the undersigned, amounts to a clear violation of the orders passed by the Division Bench of the Hon'ble High Court of Telangana, whereunder you have been given liberty to challenge the final orders, if passed against you, and without waiting for the final orders to be passed, the above said Writ Petition has been filed, praying erroneous reliefs; thereby the action initiated by you by filing such Writ Petition amounts to clear disobedience of the orders passed by the Division Bench of the Hon'ble High Court, for which you are liable for contempt of court proceedings.

13. However, after hearing the Writ Petition by the learned Single Judge of the Hon'ble High Court on 19.04.2022, upon considering the submissions from both sides, has directed the undersigned to pass final order as ordered by the Division Bench of the Hon'ble High Court in its common order, on or before

मुख्य अधिकारी, सिविल इंजीनियरिंग, CHIEF EXECUTIVE OFFICER, Page 5 of 7  
 सिविल इंजीनियरिंग, DEPARTMENT BOARD

04.2022. In view of the same, without waiting for the further response from your side, the undersigned is hereby passing a speaking order, as ordered by Division Bench of the Hon'ble High Court.

Regarding laying of underground storm/drain line, in ref.(i) cited above, undersigned had clarified that, during lifetime of your Father, he submitted a layout for sanction on the subject property by showing the area as marked in Option 3 of the Feasibility Report, as an area for the proposed storm/drain water passage, and the said layout was unsanctioned for the non-compliance of the objections raised by the Office of the Secunderabad Cantonment Board vide letter dated 19.01.2018. Further, in the layout plan submitted by your Father, inlet of storm/drain water is shown from the stream and the outlet is shown connecting to existing open nala in the downstream. It indicates that, the storm/drain water is passing through the property as per natural gradient, since time is immemorial and the same is shown as underground storm/drain line in the layout plan submitted. The contention in your legal notice that, by broke open the compound wall, the storm water is let into your property from neighbouring colony, is not correct. the said storm/drain water is passing through those lands since decades account of natural gradient and joining the open nala in the downstream.

By constructing a compound wall around your property, without any sanction from the Secunderabad Cantonment Board, the inflow of storm/drain water into the open nala from upstream, as per natural gradient, has been obstructed and as a result, a cesspool has been formed creating health hazards to the people living in the vicinity which creates unhealthy environment, which needs to be rectified for which the Notice at ref.(1) was issued.

To redress this issue and to avoid creation of cesspool, which is posing health hazards in the vicinity, the Secunderabad Cantonment Board has decided to lay a new underground storm/drain line through your property, the reasons assigned in the ref. (i) cited letter and the said suggestion has been ratified by the Technical Committee in their Feasibility Report vide Option 3 detailed above. In this regard, the undersigned has made it clear that, the underground drain line will not cause any damage to your property and the same will be helpful to you in the long run when your property is taken up for development upon obtaining a valid layout from the Secunderabad Cantonment Board. Further, this proposal has been initiated to prevent health hazards and to remove cesspool in the locality, it has been decided to lay an underground storm/drain water pipeline through your property by taking utmost care to prevent any damage to your property. The undersigned is

मुख्य अतिशायी अधिकारी,  
CHIEF EXECUTIVE OFFICER,  
सिकंदराबाद छावनी परिषद  
SECUNDERABAD CANTONMENT BOARD

empowered to lay an underground drain line, as per Option 3 of the Technical Report by exercising powers conferred u/Sec.213 and 224 of Cantonments Act 2006.

17. For the reasons recorded hereinabove, *vis-a-vis* the technical report, the suggestion made by your Advocate, on your behalf, for an alternate drainage line other than the Option 3, is hereby rejected, as the said suggestion is not feasible which is against the natural gradient. Hence, by virtue of the powers conferred u/Sec.213 and 224 of the Cantonments Act 2006, I hereby pass an order for laying an underground storm/drain water pipeline through your immovable property bearing Sy.No.96 to 99, corresponding to GLR Sy.No.352/part, Trimulgherry, Secunderabad Cantonment, to facilitate free-flow of storm/drain water from upstream area to downstream connecting to open nala, as per the Plan annexed to the Feasibility Report, without causing any damage to your property. Therefore, you are hereby requested to cooperate for the same. I further hereby clarify that this process of laying underground drain line work will be commenced after expiry of two weeks from the date of this order and during that period, the Secunderabad Cantonment Board will not take any coercive action against you, by adhering to the common order passed by the Division Bench of the Hon'ble High Court of Telangana in WP Nos.8942/2022 and 17131/2022 dated 02.03.2022. By passing this Final Order, the orders of the Hon'ble High Court are complied herewith.

Encl.: Copy of Feasibility Report along with sketch.



  
**B. Ajith Reddy**  
 Chief Executive Officer  
 Secunderabad Cantonment Board

Copy to:

**Sri R. Ranganathan,**  
 Advocate,  
 24, Ravi Cooperative Housing Society Ltd.,  
 Trimulgherry, Secunderabad - 500 015.  
 Mobile: 9393726203  
 Email: [rranga.64@gmail.com](mailto:rranga.64@gmail.com)

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IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD  
FRIDAY, THE TWENTY NINTH DAY OF APRIL  
TWO THOUSAND AND TWENTY TWO

[ 3215 ]

:PRESENT:

THE HONOURABLE DR. JUSTICE G.RADHA RANI  
WRIT PETITION NO: 22126 OF 2022

Between:

1. Dr.M.S.Tejaswari, D/o Late M.Satyanarayana Reddy.
2. Dr.M.S.Raghavendar, S/o Late M.Satyanarayana Reddy.

Petitioners

AND

1. The Union of India, Represented by its secretary, Ministry of Defence, New Delhi.
2. The Cantonment Board, Secunderabad, represented by its The Chief Executive Officer, Secunderabad.

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 or direction more in the nature of Writ of Mandamus a) declaring the final order of the respondent no.2 passed in file number Lr.No.SCB/EB/layout/Sy.No.96 to 99/Trimulgherry/1065 dated 23/4/2022 is illegal, arbitrary and violative of Article 14, 19, 21, 300A of the Constitution of India as well as opposed to the provisions of the Environment Protection Act, and the Air and Water Pollution Act, 1974 and consequently set aside the same as illegal in the interest of justice b) consequently declare the proposal of the respondent no.2 to lay a public drain through the land of the petitioner as illegal, arbitrary and against the provisions of the Cantonments Act, 2006 and consequently set aside the same in the interest of justice.

IA NO: 2 OF 2022

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 suspend the order of the respondent no.2 passed in file number Lr.No.SCB/EB/layout/Sy.No.96 to 99/Trimulgherry/1065 dated 23/4/2022, Pending disposal of WP 22126 of 2022, on the file of the High Court.

IA NO: 1 OF-2022

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 restrain the respondent no.2 and its agents and contractors or persons claiming under it from laying any pipeline through the land of the petitioner in Sy.Nos. 96/e, 97/a, 98/a, (parts of 96, 97, 98) of Trimulgherry Village and Mandal, Secunderabad, Pending disposal of WP 22126 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI R RANGANATHAN Advocate for the Petitioners, SRI NAMAVARAPU RAJESHWAR RAO (ASSGI) for the Respondent no.1, SRI K.R. KOTESWARA RAO, Senior Standing Counsel for the respondent no.2, and the Court made the following.

Sri Dinesh  
AB  
for M/L  
K.R.  
12/4

	Accts:	
	TS	
	MS	
10/10/22	Store:	
✓	V.I.	
	G.D.	
	B.C.	
	R.K.	

given to Engineering Branch  
ing Branch to note.

ORDER

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Sri.Namavarapu Raheshwar Rao, Assistant Solicitor General of India, takes notice for respondent No.1.

Sri.K.R.Koteswara Rao, Senior Standing counsel, takes notice for respondent No.2.

Heard learned counsel for the petitioner and learned counsel for the respondents.

Both the parties are directed to maintain Status-quo.

Post this matter on 06.06.2022.

SD/- L. SHIVA PARVATHI  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

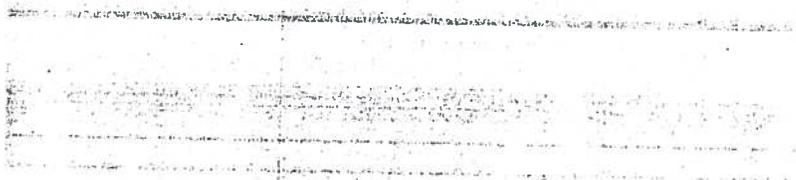
To,

1. The Secretary, Ministry of Defence, The Union of India, New Delhi. (by RPAD)
2. The Chief Executive Officer, The Cantonment Board, Secunderabad, Secunderabad. (by RPAD)
3. One CC to SRI. R RANGANATHAN Advocate [OPUC]
4. One spare copy

COURT

2022/04/29

THIS MATTER ON 06.06.2022.



R

2022 of 2022

S QUO

*Handwritten signature or initials, possibly 'N/30/4'*



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Exhibit-R-19

TELANGANA STATE POLLUTION CONTROL BOARD  
REGIONAL OFFICE, MEDCHAL# 6-3-1219, Block -C, 2<sup>nd</sup> Floor, Ward No - 91, Near Country Club,  
Kundanbagh, Umanagar, Begumpet, Hyderabad -16.

Annexure - II

Telephone : 23404744  
Website : tspcb.cgg.gov.inNotice No. 15 /TSPCB/RO-MDC/2022 533Date:08.12.2022

Sub: TSPCB - RO - Medchal - Hon'ble NGT, Chennai OA No. 97 of 2022 filed by Dr. M.S. Tejashwari - Discharge of untreated sewage into petitioners land - NOTICE - ISSUED - Reg:

###

It is to bring to your notice that an original Application No. 97 of 2022 was filed in the Hon'ble National Green Tribunal (NGT), Chennai by Dr. M.S. Tejashwari regarding polluting the land and agricultural well situated in their property for allowing sewage generated by the illegal Defence land encroachers etc.,

In this regard, the Telangana State Pollution Control Board officials inspected the petitioners land and surroundings on 03.11.2022. During the inspection, it was observed that untreated sewage from the dwelling in the North side of petitioners land was entering into their land and into the open well. The Board officials collected waste sample of the open well and as per the analysis results, the high values of Total Coliform - 540 MPN/100 ml and Fecal Coliform - 33 MPN / 100 ml indicates that the untreated sewage was entering into the open well situated in the petitioners land.

As per the provisions of the Water (Prevention and Control of Pollution) Act, 1974, Section 25 & 26 shall take necessary measures for treatment of sewage generated.

Hence, it is directed to take immediate measures for prevention of untreated sewage discharges and provide necessary treatment system for the sewage generated from the house holds in the locality.)

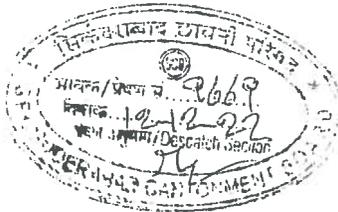
You reply if any, shall reach this office within (15) days from the date of receipt of this notice. Failing which, the Board will be constrained to initiate action against the Local Body as per the Provisions of Water (Prevention and Control of Pollution) Act, 1974.

*A. Rajend*  
08/12/2022  
ENVIRONMENTAL ENGINEER

To  
The Chief Executive Officer, ✓  
Cantonment Board, Secunderabad.

Copy submitted to JCEE, TSPCB, Zonal Office, Hyderabad for kind information and necessary action.

Copy submitted to JCEE (Legal), TSPCB, Board Office, Hyderabad for kind information and necessary action.



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Exhibit - R-20



## सिकंदराबाद छावनी परिषद

सरदार पटेल मार्ग, कोर्ट हौस परिसर, सिकंदराबाद 500003

दूरवानी संख्या ०४० - २७८०८६०० / ०४० - २७८०८६०१

### SECUNDERABAD CANTONMENT BOARD

SARDAR PATEL ROAD, COURT COMPOUND, SECUNDERABAD 500003

Tel No. 040-27808600 / 040 - 27808601

Email ID: ceo.scb2009@gmail.com



वैश्व कृत्यक्रम  
ONE EARTH - ONE FAMILY - ONE FUTURE

Lr.No.SCB/EB/NGT/3474

Dt. 27/12/2022.

To

**The Environmental Engineer,  
Telangana State Pollution Control Board,  
Regional Office, Medchal,  
Office # 6-3-1219, Block-C,  
2<sup>nd</sup> Floor, Ward No.91,  
Near Country Club, Kundan Bagh,  
Uma Nagar, Begumpet,  
Hyderabad - 500 016.**

Sir,



Sub: **Hon'ble NGT (National Green Tribunal), Chennai, OA No.97 filed of 2022 filed by Dr. M.S. Tejaswari - Discharge of untreated sewage into Petitioner's Land - Notice issued to take measures for prevention of untreated sewage discharges and provide necessary treatment system for the sewage generated - Reg.**

Ref: Notice No.15/TSPCB/RO- MDC/2022/533 dated 08.12.2022 received on 12.12.2022.

\*\*\*

In this connection, it is informed that, this office has received the above referred Notice dated 08.12.2022 on 12.12.2022, wherein it was directed to take immediate measures for untreated sewage discharged water and provide necessary system for sewage generated by the households in the locality and also to furnish the reply within 15 days.

The detailed report on the subject matter is furnished below:

1. It is to state that, the subject land on which the Complainant i.e., Dr. M.S Tejaswari, alleged to be the owner, is classified as B-2 land forming part of GLR Sy.No 352/P, Trimulgherry Village and placed under the management of State Government.
2. Previously, one late M. Satyanarayana Reddy, father of the Petitioner, had submitted a Layout for approval for formation of housing plots in the subject land Adm. Ac.03-11 Gts. in Sy.No 96 to 99 forming part in GLR Sy.No.352(P) which was sanctioned vide CBR No.30 dated 06.02.2013, whereby it was proposed to lay residential colony by converting agricultural

land into plots. In the said Layout, the father of the Petitioner has clearly demarcated that through an underground pipeline, the upstream sewage can be discharged connecting to an open nala in the downstream. However, the process could not be taken place, as the developer has not complied with the observations of the higher authorities of Ministry of Defence, which is the final authority to release the sanction of Layout.

3. Further, it is to state that there is a small village/hamlet known as Chinna Kamela where in around 250 residential houses are in existence from the past 50 years, which colony is situated on the upstream side of the Petitioner's land.

4. The drainage from the residential area is flowing through natural gradient and ends in a cesspool/agricultural kunta located in the subject land belongs to the Petitioner and from their land, there is no proper outlet for discharge of these effluents. This office has made attempts to convince Dr. M.S. Tejaswari and her brother to construct an a proper underground drain pipeline through their open land to discharge the effluents, as shown in the Layout of their Father, but they have not agreed to the request and obstructed the passage of storm/drain water into their property by depositing construction waste, building material and debris resulted in stagnation of the sewage and storm water in the upstream area of Chinna Kamela between the dwelling houses and the Petitioner's land and causing dangerous highly contagious diseases and creating severe unhygienic conditions.

5. In order to prevent stagnation of drain water and to curb unhygienic condition in vicinity and to release the stagnated sewage into the cesspool, the local people have removed the blockage and afterwards, the Secunderabad Cantonment Board has facilitated the free flow of sewage into cesspool created in the subject property. Afterwards, issued a Notice dated 16.02.2022 u/Sec. 213 & 224 of Cantonments Act 2006 to the Applicant and her brother for construction of underground drain line across their property, so as to discharge the sewage into the open nala.

6. Subsequent to issue of this Notice, the following events have taken place and the details are as under:

- i) Being aggrieved by this office Notice dated 16.02.2022, they filed Writ Petition No.8942/2022 before the learned Single Judge of the Hon'ble High Court of Telangana and obtained an Interim Order restraining this office from interfering with their possession and also directed not to lay any drainage pipeline through their property. This office filed a Vacate Stay Petition along with Counter Affidavit to vacate the Interim Order granted.
- ii) Pending Writ Petition, the Division Bench of the Hon'ble High Court has directed to post all the connected Writ Petitions of the Petitioners before the Division Bench. After hearing both the parties, a Common Order dated 02.03.2022 was passed in WP No.8942 of 2022 and 17313 of 2021 (filed for a direction to the

Cantonment Board to prevent laying of a drainage pipes through their property) directing the Applicant and her Brother, M.S. Raghavender, to appear before the Chief Executive Officer of the Secunderabad Cantonment Board, and participate in the enquiry pursuant to the Notice issued to them on 16.02.2022 and the Chief Executive Officer was directed to pass appropriate final orders. Copy of Order of the Division Bench is enclosed as **Annexure-A**.

- iii) Pursuant to the direction given by the Division Bench, the Applicant and her Brother along with their Advocate, have appeared before the CEO, SCB on 07.03.2022 and made certain proposals on the issue of discharge of sewage through underground discharge. On such suggestions, before passing a Final Order, a Technical Committee was appointed by the Secunderabad Cantonment Board to submit a feasibility report. Meanwhile, vide an Interim Order dated 09.03.2022, the Applicant and her Brother were directed not to block the existing drain line until alternate arrangements are made as per the feasibility report. The said Interim Order is filed as **Annexure-B**.
- iv) Aggrieved by this Interim Speaking Order, Dr. M.S Raghavendra (Brother of the Applicant) filed a Writ Petition in WP No.19579/2022 before learned Single Judge of the Hon'ble High Court of Telangana against the Secunderabad Cantonment Board and pending Writ Petition, the Hon'ble Court by its Order dated 19.04.2022 directed the CEO to dispose of the matter finally within a week by 26.04.2022 as per the directions of the Division Bench in WP No.8942 of 2022. Copy of the Order dated 19.04.2022 of the Hon'ble High Court is enclosed as **Annexure-C**.
- v) Accordingly, the CEO, SCB passed a final speaking order dated 23.04.2022 whereby, the Board has decided to lay underground drain/storm water pipeline through the properties of the Applicant and her Brother by assigning valid reasons. Copy of the final speaking order dated 23.04.2022 is enclosed as **Annexure-D**.
- vi) Aggrieved by this final order, both the Applicant and her Brother, have filed one more Writ Petition in WP No.22126/2022 before learned Single Judge of the Hon'ble High Court of Telangana. Pending Writ Petition, the Hon'ble High Court passed an Interim Order dated 29.04.2022 directing both the parties to maintain Status Quo. Copy of the Interim Order passed by the Hon'ble High Court is enclosed as **Annexure-E**.
- vii) Subsequently, this office has filed Counter Affidavit and Vacate Stay Petition in both the Writ Petitions i.e., W.P. No. 19579/2022 and W.P. No. 22126/2022 and the same are pending for adjudication. In view of the Interim Order of Status Quo granted by the Hon'ble High Court, and since the matter concerning the discharge of sewage is sub-judice before the Hon'ble High Court of Telangana, the Secunderabad Cantonment Board could not take any further action on discharge of sewage from the upstream area.

7. Subsequently, the Applicant has approached the Hon'ble NGT, Chennai, by way of filing O.A. No.97 of 2022 which is pending and the Secunderabad Cantonment Board is directed to file its reply and the case is adjourned to 24.01.2023.

8. Further, it is to inform that, this office is contemplating appropriate action to discharge sewage/storm water through underground drain line as per option 3 of feasibility report submitted by M/s. P.S. Engineering Consultants after carrying out field survey. However, the said work could not be taken up keeping in view of subsisting Status Quo order dated 29.04.2022 passed by the Hon'ble High Court in W.P. No.22126 of 2022.

9. In the light of the above, the Secunderabad Cantonment Board is restrained from entering into the property of the Applicant and her Brother, by passing an Order of Status Quo, as mentioned above, and hence could not take any immediate measures for prevention of untreated sewage discharges and also to provide any necessary treatment system for the sewage generated from the households in the locality. Hence your proposed action against local body i.e., the Secunderabad Cantonment Board, as per the provisions of Water (Prevention and Control of Pollution) 4.

Therefore, your Authority is requested to consider the above factual position and necessary instructions may be given to the Applicant, M.S. Tejaswari and her Brother, to give their consent for laying underground drainage outlet through pipelines passing through their land for discharge of sewage from the households in the locality connecting to a open nala in the downstream so as to prevent any percolation of untreated sewage discharges entering into private well/agricultural kunta of the Applicant and her Brother and this action could be initiated subject to outcome of the Writ Petitions pending before the Hon'ble High Court of Telangana, as detailed above, and requested that your Authority may kindly drop all further proceedings pursuant to reference cited Notice dated 08.12.2022.

Yours Sincerely,



[MADHUKAR NAIK D]  
CHIEF EXECUTIVE OFFICER  
SECUNDERABAD CANTONMENT BOARD

Encl. As above.

Copy to:-

- 1) JCEE, Zonal Office, Hyderabad - for information please.
- 2) JCEE (Legal), TSPCB, Board Office, Hyderabad - for information please.

**REPORT OF THE TELANGANA STATE POLLUTION CONTROL BOARD  
(TSPCB), (RESPONDENT NO.3) IN O.A.NO.97 OF 2022 (SZ) FILED BY  
DR. M.S. TEJASHWARI, TRIMULGHERRY, SECUNDERABAD**

It is to submit that Dr. M.S. Tejashwari, D/o. Late Sri M. Sathyanarayana Reddy, R/o. H.No. 3-16-668/A, Trimulgherry 'X' Roads, Secunderabad has filed an O.A.No.97 of 2022 in the Hon'ble NGT, Chennai regarding damage of Boundary wall, laying of the drainage pipeline from the dwellings located in the Northern side of the petitioner's land and sewage entering into petitioner's land and open well thereby causing water pollution.

The petitioner's has stated that they have constructed boundary wall around their land decades back and it was allegedly demolished by Cantonment Board at North-East side of the petitioner's land and allowed the sewage to enter into their land and diverted into open well and the water got polluted. Also allegation were made regarding trespassing of people into the petitioner's land.

The petitioner has prayed to the Hon'ble NGT to appoint an independent committee to inspect the land of applicant as well as the Defense Land surrounding the applicant's property for the purpose of assessing damage caused to the environment as well as to the applicant's property, direct appropriate action against the Respondents, to direct removal of illegally laid drainage pipeline till the northern side boundary wall of the petitioner's land and direct to stop the flow of sewage onto the land and restore the open well etc.

In this regard, TSPCB Officials inspected the Petitioner's Land and surroundings on 03.11.2022. During the inspection, the petitioner was present. The details are submitted as follows:

1. The Petitioner's Land (about 3 Acres - 11 guntas) is located in Sy.No. 96/e,97/a/98/a, Trimulgherry Village and Mandal, Medchal-Malkajgiri District and is provided by boundary walls on all the four sides.
2. The land is surrounded by East: Trimulgherry Tank Bund, West: Residential Houses, South: Residential Houses / Approach Road, North: Residential houses.

3. In the Petitioner's Land, a small shed with rooms and a cattle shed are constructed along the East side boundary. 3-4 cattle are reared in the cattle shed. Remaining area is covered with grown grass.
4. An open well is located at the North-East corner of the petitioner's land.
5. It was observed that several small houses are located in the area towards Northern side of the petitioners' land. Sewage from these houses is entering into the petitioner's land from North Side. The sewage is also joining the open well located in the petitioner's land.
6. The Board officials collected the water sample of the open well and the Analysis results are as follows:

Parameters	Unit	Method No.	Results	Drinking water standards as per IS 10500: 2012
pH	-	4500-B	6.7	6.5-8.5
Electrical conductivity	$\mu\text{S/cm}$	2510-B	1025	-
Total Suspended Solids	mg/L	2540-D	33	-
Total Dissolved Solids	mg/L	2540 C	721	500* (2000**)
Chlorides as $\text{Cl}^-$	mg/L	4500-Cl-B	128	250* (1000**)
Sulphates as $\text{SO}_4^{-2}$	mg/L	4500-SO4-2 B	11	200* (400**)
Total Alkalinity as $\text{CaCO}_3$	mg/L	2320 B	380	200* (600**)
Total Hardness as $\text{CaCO}_3$	mg/L	2340 C	280	200* (600**)
Calcium as $\text{Ca}+2$	mg/L	3500-Ca B	80	75* (200**)
Magnesium as $\text{Mg}+2$	mg/L	3500-Mg B	19	30* (100**)
Phosphates	mg/L	4500-P,D	8.0	-
Sodium as Na	mg/L	3500-Na B	90	-
Potassium as K	mg/L	3500-K B	21	-
%Sodium	%	-	39	-
SAR <sub>c</sub>	-	-	2.3	-
Boron	mg/L	4500-B B	<0.1	-
Chemical Oxygen Demand	mg/L	5220 B	170	-
BOD 3 at 27°C	mg/L	IS 3025, 1993	43	$\leq 2$

Total coliform	MPN/100 ml	9221 - B, C	540	≤ 50
Fecal coliform	MPN/100 ml	9221 - B, C	33	-
<b>Heavy Metals</b>				
Copper	mg/L	3111 B	ND	0.05*(1.5**)
Nickel	mg/L	3111 B	ND	0.02
Zinc	mg/L	3111 B	ND	5*(15**)
Cadmium	mg/L	3111 B	ND	0.003
Lead	mg/L	3111 B	ND	0.01
Total Chromium	mg/L	3111 D	ND	0.05

As seen from the analysis results, the high values of Total Coliform- 540 MPN/100 ml indicates that untreated sewage was entering into the open well situated in the Petitioner's Land. Analysis report is enclosed as **Annexure-I**.

TSPCB has issued a notice dated 08.12.2022 to the Chief Executive Officer, Secunderabad Cantonment Board directing to take immediate measures for prevention of untreated sewage discharges and provide necessary treatment system for the sewage generated from the house holds in the locality. A copy of the notice is enclosed as **Annexure-II**.

It is submitted that the Secunderabad Cantonment Board has to take measures for treatment of the sewage generated. Regarding the encroachments and trespassing into the petitioner's land, TSPCB is not competent Authority.

Submitted.

Place: Hyderabad

Date: 19.12.2022



**ENVIRONMENTAL ENGINEER**

Environmental Engineer  
T.S. Pollution Control Board  
Regional Office, Medchal



**CENTRAL LABORATORY**

Analysis Report

Reg. No. SR/05/TSPCB/HO/R00/LAB/2022/11/035  
Collected on: 03/11/2022  
Test method: Standard Methods of APHA, 23<sup>rd</sup> Edition  
Issue date: 10/11/2022

Collected by: RO-Medchal  
Received on: 03/11/2022  
Quantity of the sample: 1 Ltr. sample each  
Page No: 1 of 1

Source: Ground Water

Ref : Hon'ble NGT Chennai- Original Application No. 97 of 2022 filed by Dr. M.S. Tejashwari, D/o Late Sri M. Sathyanarayana Reddy, R/o H. No. 3-16-668/A, Thirmulagiri 'X' Roads, Medchal Malkajgiri district.

Sample code : Sample details / collection point

22/11/035 - Water sample collected from the openwell at Sy.No.96/e,97/a, 98/a (96, 97,98 parts), Trimulgherry, Medchal-Malkajgiri District.

Parameters	Unit	Method No.	Results 22/11/035	Drinking water standards as per IS 10500: 2012
pH	-	4500-B	6.7	6.5-8.5
Electrical conductivity	µS/cm	2510-B	1025	-
Total Suspended Solids	mg/L	2540-D	33	-
Total Dissolved Solids	mg/L	2540 C	721	500* (2000**)
Chlorides as Cl <sup>-</sup>	mg/L	4500-Cl-B	128	250* (1000**)
Sulphates as SO <sub>4</sub> <sup>-2</sup>	mg/L	4500-SO4-2 B	11	200* (400**)
Total Alkalinity as CaCO <sub>3</sub>	mg/L	2320 B	380	200* (600**)
Total Hardness as CaCO <sub>3</sub>	mg/L	2340 C	280	200* (600**)
Calcium as Ca+2	mg/L	3500-Ca B	80	75* (200**)
Magnesium as Mg+2	mg/L	3500-Mg B	19	30* (100**)
Phosphates	mg/L	4500-P,D	8.0	-
Sodium as Na	mg/L	3500-Na B	90	-
Potassium as K	mg/L	3500-K B	21	-
%Sodium	%	-	39	-
SAR	-	-	2.3	-
Boron	mg/L	4500-B B	<0.1	-
Chemical Oxygen Demand	mg/L	5220 B	170	-
BOD 3 at 27°C	mg/L	IS 3025, 1993	43	≤ 2
Total coliform	MPN/100ml	9221 - B, C	540	≤ 50
Fecal coliform	MPN/100ml	9221 - B, C	33	-
<b>Heavy Metals</b>				
Copper	mg/L	3111 B	ND	0.05*(1.5**)
Nickel	mg/L	3111 B	ND	0.02
Zinc	mg/L	3111 B	ND	5*(15**)
Cadmium	mg/L	3111 B	ND	0.003
Lead	mg/L	3111 B	ND	0.01
Total Chromium	mg/L	3111 D	ND	0.05

(\*) Parameters are exceeding the drinking water standards.

Note: Results related to sample as received.

Remarks: The Sample is showing Bacterial Contamination as the Coliform values are high.

Joint Chief Environmental Scientist

GOVERNMENT OF TELANGANA  
IRRIGATION AND CAD DEPARTMENT

From  
Sri T.Venugopal, M.E.M.I.E.,  
Executive Engineer,  
Hussain Sagar Lake Division,  
Buddha Bhavan, 1<sup>st</sup> floor,  
Secunderabad.

To  
The Chief Executive officer,  
Cantonment Board,  
Court Compound, S.P.Road,  
Secunderabad-500 003.  
Phone-040-27808600.

Lr.No.EE/HSLD/HD/Tanks/2022/ 1122

Dt. 27.10.2022.

Sir,

Sub - GHMC-Engg-Lakes-Existing of 2 No's of Tanks i.e. Ramanna Cheru. and Tirumalagiri Tank in the jurisdiction of Cantonment Board, Secunderabad - Restoration of Tanks- Req. Reg.,

- Ref - 1. G.O.Rt.No 351, I&CAD (Estt) Dept, Dt: 28.09.2021  
2. The Dy. Exe.Engineer, Sub Division - II, Lr.No.DEE/SD-II/HSLD/2021-22/45 Dt: 11.03.2022  
3. The Executive Engineer, HSLD, Lr. No. EE/HSLD/HD/Tanks/2022/ 280 Dt: 16.03.2022

\*\*\*\*\*

In continuation to this office letter vide 3<sup>rd</sup> cited, where in certain observations were brought to the notice and requested the CEO, Cantonment Board, Secunderabad to restore the below tanks which are in Cantonment jurisdiction.

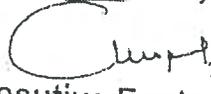
- 1) Ramanna Cheruvu (ID.No.4200), Bowepally (V), Tirumalagiri (M)
- 2) Tirumalagiri Tank (ID.No.4201), Tirumalagiri (V&M)

The observations mentioned in the letter are to be taken up immediately. Further, as per instructions of the Hon'ble Minister, MA&UD, Telangana State, and the Commissioner, GHMC, all the tanks in GHMC area including Cantonment Board are to be restored with Sewage Diversion and Weir cum Sluice for flood monitoring during monsoon immediately, wherever necessary.

In view of this, it is requested to give consent letter to take up the component of works by this office as mentioned below.

1. Restoration of tanks - Bund strengthening, revetment to bund, construction of weir and sluice.
2. Protection of tanks - Laying of Ring bund, revetment to ring bund, fencing
3. Sewage Diversion - Laying of Sewer ring main, inspection chambers including Interception & Diversion structure.

Yours faithfully,

  
Executive Engineer, 27/10/22  
Hussain Sagar Lake Division,  
Hyderabad.

27/10/22

## सिकंदराबाद छावनी परिषद

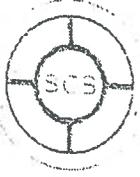
सरदार पटेल मार्ग, कोर्ट हौस परिसर, सिकंदराबाद 500003  
दूरवानी संख्या ०४० २७८०८६०१ - ०४० / २७८०८६०० -

## SECUNDERABAD CANTONMENT BOARD

SARDAR PATEL ROAD, COURT COMPOUND, SECUNDERABAD 500003

Tel No. 040-27808600 / 040 - 27808601

Email ID: [ceo.scb2009@gmail.com](mailto:ceo.scb2009@gmail.com)



सिकंदराबाद छावनी परिषद  
SECUNDERABAD CANTONMENT BOARD

Lr.No.SCB/EB/Trimulgherry Lake/51

Dt.04 January, 2023.

To

The Executive Engineer,  
Hussain Sagar Lake Division,  
Buddha Bhavan, 1<sup>st</sup> Floor,  
Secunderabad.

Sub: GHMC - Engg - Lakes - Existing of 2 No's of Tanks i.e. Ramanna Cheruvu and Tirumalagiri Tank in the jurisdiction of Cantonment Board, Secunderabad - Restoration of Tanks.

Ref: (i) the Executive Engineer, Hussain Sagar Lake Division, Hyderabad letter No.EE/HSLD/HD/Tanks/2022/1122, Dt.27.10.2022, (ii) the Executive Engineer, Hussain Sagar Lake Division, Hyderabad letter No.EE/HSLD/HD/Tanks/2022/280, Dt.16.03.2022

Sir,

2. As requested, consent is hereby accorded to take up the works mentioned in your reference letter dated 27.10.2022 at Trimulgherry Tank (ID No.4201), Trimulgherry (V&M) and Ramanna Cheruvu (ID No.4200), Bowenpally Village, Trimulgherry Mandal.

3. It is informed that, Ramannakunta lake is surrounded by several private residential colonies which have come up in and around Ramannakunta lake, due to which large quantum of sewerage water of these residential colonies through the drains are being discharged into Ramannakunta lake which earlier was catering to the rain water.

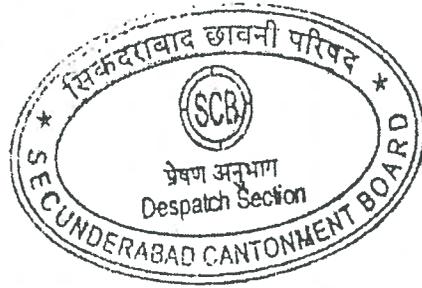
4. Outlets of the lake which are connected to storm water drains of Soujanya Colony are small in diameter and inadequate to discharge the excess water flow. In the year 2017, a ring sewer lane around the Ramannakunta lake has been executed with the support of HMWS&SB. It is also observed that some of the sewerage drains are still discharging the sewer into the lake which are yet to be connected to the ring sewer.

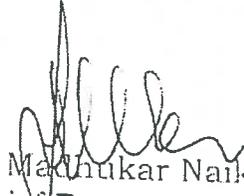
5. During the monsoon due to excess storm water is flowing into the lakes, resulting into overflow of Storm waters on the downstream side leading to flooding situation in the colonies. The problem is being compounded due to the chocking of outlet drain which is bedded underneath the main road and connects to under drain at Soujanya colony. This drain is small and inadequate to discharge the excess water at the time of monsoons.

6. Further, it is to mention that Trimulgherry Lake is also surrounded by several private residential colonies and during heavy rains due to insufficient outlet the upstream area is being inundated with flood water.

7. It is to inform that the above factors be considered while designing and execution of the work and also to associate the Engineering Division of this office in planning and design for restoration of the water tanks, as they are fully aware of the issues being faced.

8. In view of the above, you are requested to forward the Detailed Project Report of the proposed work prior to commencement of the work for our information.



  
[ M. Anurag Naik D ]  
Chief Executive Officer,  
Secunderabad Cantonment Board.

Copy to:

1. The Special Chief Secretary,  
Municipal Administration and Urban Development (MAUD),  
Secretariat, Telangana State, Hyderabad.
2. The Commissioner and Director,  
Municipal Administration Department, Govt. of Telangana,  
AC Guards, Masab Tank, Hyderabad-500004.
3. The Special Commissioner (Lake), 3<sup>rd</sup> Floor,  
DTCP Building, Lakdikapool, Hyderabad - 500 004.
4. The Commissioner,  
Greater Hyderabad Municipal Corporation,  
Lower Tank Bund, Hyderabad - 500 063.

for info.  
please.