

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTH ZONE BENCH AT CHENNAI

MA. No. 12 of 2024

in

Original Application No. 192 of 2021

Human Rights & Consumer Protection Cell Trust & Anr.

...Applicants/Applicants

Vs.

The State of Telangana & 9 ors.

... Respondents/Respondents

**INDEX TO THE TYPED SET OF DOCUMENTS FILED ON BEHALF OF THE  
9<sup>TH</sup> RESPONDENT.**

| S. No. | DATE       | DESCRIPTION   | Pg No |
|--------|------------|---|-------|
| 1.     | 23.09.2024 | Counter Affidavit filed on behalf of the 9 <sup>th</sup> Respondent   | 1     |
| 2.     |            | Layout plan of the 2 <sup>nd</sup> Applicant Colony.  | 6     |
| 3.     |            | Ameenpur village Map.   | 7     |
| 4.     |            | Ameenpur village Map with Nalas marked.   | 8     |
| 5.     |            | Google Earth Image with Nalas Marked  | 9     |
| 6.     | 24.03.2021 | Technical Approval issued by the 3 <sup>rd</sup> Respondent to the 9 <sup>th</sup> Respondent.  | 10    |
| 7.     | 27.08.2021 | Order passed by this Hon'ble Tribunal in OA No. 192 of 2021.  | 21    |
| 8.     | 05.10.2021 | Interim Order passed by the Hon'ble Telangana High Court in WP Nos. 25246 & 25256 of 2021   | 28    |
| 9.     | 01.11.2021 | Order passed by this Hon'ble Tribunal in OA No. 192 of 2021 with extracts of the Joint Committee Report dated 29.10.2021  | 36    |
| 10.    | 10.06.2022 | Representation made by the 9 <sup>th</sup> Respondent to the 6 <sup>th</sup> Respondent for the construction of underground drain pipes through the 40 ft road in the 2 <sup>nd</sup> Applicant's Colony. | 43    |
| 11.    | 12.07.2022 | Final Order passed by the Hon'ble Telangana High Court in WP Nos. 28853 of 2021.  | 50    |

|     |            |   |    |
|-----|------------|---|----|
| 12. | 21.09.2022 | Letter issued by the 6 <sup>th</sup> Respondent rejecting the proposal of the 9 <sup>th</sup> Respondent dated 10.06.2022               | 52 |
| 13. | 10.12.2022 | Letter issued by the 9 <sup>th</sup> Respondent to the other Respondents for construction of underground drain pipes.                   | 54 |
| 14. | 27.01.2023 | Final order passed by the Hon'ble Telangana High Court in WP No. 2235 of 2023   | 58 |
| 15. | 18.05.2023 | Join inspection Report issued by the official Respondents herein.   | 66 |
| 16. | 15.07.2023 | Letter issued by the 9 <sup>th</sup> Respondent to the 6 <sup>th</sup> Respondent requesting NOC for construction of nala.              | 71 |
| 17. | 31.07.2023 | Order passed by the Hon'ble NGT, Chennai in OA No. 192 of 2021  | 72 |
| 18. | 04.10.2023 | Order passed by the Hon'ble Telangana High Court in WP No. 27404 of 2023.   | 75 |
| 19. | 11.03.2024 | Letter issued by the 6 <sup>th</sup> Respondent issuing NOC to the 9 <sup>th</sup> Respondent for the construction of concrete channel. | 79 |
| 20. | 12.03.2024 | Clarification Letter issued by the 6 <sup>th</sup> Respondent to the 9 <sup>th</sup> Respondent w.r.to letter dated 11.03.2024.         | 85 |
| 21. | 19.07.2024 | Letter issued by the 6 <sup>th</sup> Respondent to the 9 <sup>th</sup> Respondent granting permission for laying the RCC slab           | 94 |
| 22. |            | Nala constructed as per the NOC issued by the Irrigation Department.  | 97 |

Certified to be true copies of the Originals.

Dated at Chennai on this the 23<sup>rd</sup> September, 2024.



COUNSEL FOR 9<sup>th</sup> RESPONDENT.

## BEFORE THE NATIONAL GREEN TRIBUNAL

## SOUTH ZONE BENCH AT CHENNAI

MA. No. 12 of 2024

In

Original Application No. 192 of 2021

Human Rights &amp; Consumer Protection Cell Trust &amp;Anr.

...Applicants/Applicants

Vs.

The State of Telangana &amp; 9 ors.

... Respondents/Respondents

**COUNTER AFFIDAVIT FILED ON BEHALF OF THE 9<sup>TH</sup> RESPONDENT.**

I, Kaila Narsimha, son of K Seenaiah, aged about 50 years, having office at Flat No. 304, Sri Vijayalakshmi Residency, HUDA Colony, Chandanagar, Serilingampally, Hyderabad- 500 050, having temporarily come down to Chennai, do hereby solemnly affirm and sincerely state as follows:

1. I am the Managing Partner of the 9<sup>th</sup> Respondent firm, and as such I am well aware of the facts and circumstances of the case, and I am competent to depose hereto.
2. At the outset, it is submitted that all the averments and allegations in the above application are denied as false, frivolous and motivated except those that are specifically admitted hereunder. None of the averments in the application should be deemed to be admitted for want of specific traverse.
3. At the outset, it is submitted that the present Application is filed in abuse of process of law for reopening OA No. 192 of 2021 by this Hon'ble Tribunal.
4. It is submitted that the above MA suffers from *Suppressio Veri Suggestio Falsi*, and filed with the sole intent of harassing the 9<sup>th</sup> Respondent herein. Therefore, the 9<sup>th</sup> Respondent herein has set out the material facts pertaining to the above application hereunder, for the sake of brevity:-

- 4.1. The 9<sup>th</sup> Respondent is in the business of construction and development. The 9<sup>th</sup> Respondent after obtaining the Technical Approval from the

For LALITHA CONSTRUCTIONS AND DEVELOPERS

క.వరిసంవ్వు  
PARTNER

3<sup>rd</sup> Respondent herein, commenced its constructions activities in strict compliance with the terms of the Approval.

- 4.2. When things stood thus, the Applicants herein filed OA No. 192 of 2021 seeking for cancellation of the Technical Approval dated 24.03.2021 issued by the 3<sup>rd</sup> Respondent to the 9<sup>th</sup> Respondent herein; to restore the flood water nalas flowing from Kothacheruvu to BandamkommuCheruvu; and to demolish the constructions in FTL, buffer zone and nalas.
- 4.3. This Hon'ble Tribunal vide its order dated 27.08.2021 directed a Joint Committee comprising of the District Collector, Sangareddy District, Superintending Engineer, Irrigation Department and Senior Officer of Lake Protection Committee to submit a report on the alleged encroachment on the water bodies.
- 4.4. In furtherance of the order dated 27.08.2021 passed by this Hon'ble Tribunal, the Joint Committee conducted its inspection on 01.09.2021 and 02.09.2021 and filed its Report on 29.10.2021.
- 4.5. Thereafter, the 3<sup>rd</sup> Respondent and 8<sup>th</sup> Respondent vide their orders dated 21.08.2021 and 25.09.2021 kept the Technical Approval dated 23.03.2021 in abeyance and issued Show Cause Notice as to why the constructions should not be demolished.
- 4.6. The 9<sup>th</sup> Respondent herein challenged the said orders dated 21.08.2021 and 25.09.2021 passed by the 3<sup>rd</sup>& 8<sup>th</sup> Respondents respectively before the Hon'ble Telangana High Court in WP Nos. 25246 & 25256 of 2021, and the Hon'ble High Court vide its order dated 05.10.2021 was pleased to grant an interim order of suspension of the orders passed by the 3<sup>rd</sup>& 8<sup>th</sup> Respondent herein.
- 4.7. It is pertinent to note that the developer of 2<sup>nd</sup> Applicant's residential colony sought approvals from the Authorities, and the building layout for the same clearly shows an accommodation for free flow of water in a channel through the colony, without obstruction, it was based on this building layout that the Gram Panchayat, Ameenpur Village granted its

For **LALITHA CONSTRUCTIONS AND DEVELOPERS**

క.నరింపూర్తి

**PARTNER**

approval. However, the 2<sup>nd</sup> Applicant daringly and boldly built up every square inch leaving no space for hydrological flow. This is the reason for water inundation during the monsoon season. Now, seeing the environmental devastation caused by it, it has donned the garb of a saint and is claiming that the 9<sup>th</sup> Respondent has diverted the channel. It is further pertinent to note that even the Joint Committee Report dated 29.10.2021 reveals the said fact of encroachment over a water body by the 2<sup>nd</sup> Applicant herein.

- 4.8. During the pendency of the above Writ Petitions before the Telangana High Court and OA before this Hon'ble Tribunal, the 9<sup>th</sup> Respondent made a representation dated 10.06.2022 to the 6<sup>th</sup> Respondent herein for construction of underground drain pipes along the 40 ft. road in the 2<sup>nd</sup> Applicant's colony to protect the environment and avoid water inundation in the monsoon season. Since, the 6<sup>th</sup> Respondent did not consider the representation of the 9<sup>th</sup> Respondent, the 9<sup>th</sup> Respondent filed WP No. 28853 of 2022 before the Telangana High Court seeking for a writ of Mandamus, and the Hon'ble Court vide its order dated 12.07.2022 was pleased to direct the 6<sup>th</sup> Respondent herein to consider the representation and pass orders. Thereafter, the 6<sup>th</sup> Respondent vide proceedings dated 27.09.2022 rejected the proposal of the 9<sup>th</sup> Respondent herein.
- 4.9. Thereafter, the 9<sup>th</sup> Respondent herein made a representation dated 10.12.2022 to the official Respondents herein for physical verification and for construction of underground drain pipes along the 40 ft. road in the 2<sup>nd</sup> Applicant's colony by minimizing the width of Nala as 3 meters against the proposed width of 9.60 meters and increasing the depth instead of width of underground drain pipes along the 40 ft. road in 2<sup>nd</sup> Applicant's colony to protect the environment and avoid water inundation in the monsoon season. However, the same was not considered in a timely manner by the official Respondents herein. Therefore, the 9<sup>th</sup> Respondent filed WP No. 2235 of 2023 before the Telangana High Court, and the Hon'ble Court vide its order dated 27.01.2023 directed the official Respondents herein to consider the 9<sup>th</sup> Respondent's representation dated 10.12.2022 and pass order within a period of three weeks from the date of receipt of the order.

- 4.10. Thereafter, the official Respondents herein conducted a joint inspection and vide its Report dated 18.05.2023 stated that as per *'the hydraulic calculations and the permissible velocities, existing bed fall and terrain conditions opined that 4.0m\*2.85m is the optimum size of the concrete channel, for a length of about 56.0m in the Petitioner land, which can accommodate safely the maximum flood discharge without causing any inundation.'* The said Report was communicated to the 9<sup>th</sup> Respondent on 14.07.2023 and the 9<sup>th</sup> Respondent was directed to seek approvals/permissions for construction of the Nala.
- 4.11. Accordingly, the 9<sup>th</sup> Respondent vide letter dated 15.07.2023 requested the 6<sup>th</sup> Respondent herein to grant permission for construction of nala and issue Irrigation NOC. In the meanwhile, this Hon'ble Tribunal on 31.07.2023 closed the above OA 192 of 2021 and left it open to the Applicants to get appropriate orders from the Hon'ble Telangana High Court.
- 4.12. The 9<sup>th</sup> Respondent then filed WP No. 27404 of 2023 before the Hon'ble Telangana High Court seeking for direction to the 6<sup>th</sup> Respondent herein for issuing the Irrigation NOC. The Hon'ble Court vide its order dated 04.10.2023 was pleased to direct the 6<sup>th</sup> Respondent to consider the 9<sup>th</sup> Respondent's representation dated 15.07.2023 and pass orders within a period of two weeks from the date of receipt of the order.
- 4.13. Thereafter, the 6<sup>th</sup> Respondent vide its letter dated 11.03.2024 issued NOC for the construction of nala with the size of 4.0m\*2.85m to the 9<sup>th</sup> Respondent herein, and it further clarified vide letter dated 12.03.2024 that the balance extent of land Ac02-14.25 Gts in Sy. Nos: 276/ B, 277, 314/ A2, 314/ A3, 314/ A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur(V), Ameenpur (M), Sangareddy District is not affected in any water body/Channel and it is free from the water body as per the norms stipulated in G.O Ms.No.168 of Dt: 07.04.2012 of MA & UD Department.

For LALITHA CONSTRUCTIONS AND DEVELOPERS

క.వల్లభమ్మ  
PARTNER

4.14. In pursuance of the NOC issued by the 6<sup>th</sup> Respondent, the 9<sup>th</sup> Respondent constructed the nala in strict compliance thereof. Further, the 6<sup>th</sup> Respondent vide letter dated 19.07.2024 granted permission to the 9<sup>th</sup> Respondent herein for laying the RCC slab over the nala (4.0m\*2.85m). In light of the above developments, the 9<sup>th</sup> Respondent withdrew the WP Nos. 25246 & 25256 of 2021 before the Hon'ble Telangana High Court, and the Applicant herein sought liberty to reopen the above OA.

4.15. Therefore, even though the natural course of the flood water nala was through the 2<sup>nd</sup> Applicant's colony as evident from the building plan of the said colony and the 2<sup>nd</sup> Applicant had blocked the natural flow of the flood water nalas and put up constructions on the water bodies, thereby leading to the water inundation in the low lying areas, the 9<sup>th</sup> Respondent has taken all steps necessary in accordance with law in order to construct the nala encroached by the 2<sup>nd</sup> Respondent for free flow of surplus water from Kothacheruvu to BandamkommuCheruvu in order to avoid water inundation near its project.

5. In light of the above, it is submitted that the Applicants have filed the above MA for reopening OA No. 192 of 2021 by suppressing material facts with an ulterior motive, and the said MA is liable to be dismissed.

It is therefore prayed that this Hon'ble Tribunal may be pleased to DISMISS the above MA, and pass such necessary or other orders, and thus render justice.

Solemnly affirmed at Chennai

On this the 23<sup>rd</sup> day of September, 2024

I certify that the contents of this affidavit

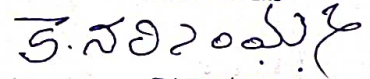
Were read out and explained in Telugu in

My presence to the Executant who appeared

Perfectly to understand the same and made

His signature in my presence.

For LALITHA CONSTRUCTIONS AND DEVELOPERS



PARTNER  
BEFORE ME

  
MS5774/23

No. 7, 15b, Andhra Insurance  
Building, Thambu Chetty Street,  
Parrys, Chennai - 600001.

ADVOCATE: CHENNAI.

LAY-OUT PLAN SHOWING IN SY.NOS: 345, 346, 347, 348, 349, 350, 351, 353, 358, 359, 360, SITUATED AT AMEENPUR VILLAGE, BANGA REDDY TALUQ.

BELONGS TO: BRIJENDRA MOHAN DATTA & OTHERS.



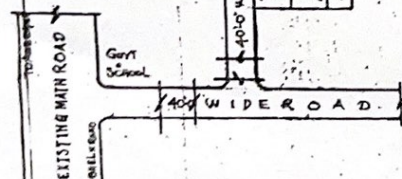
3' WIDE NALA

REFERENCE:  
TOTAL LAND AREA: 17 AC-27 GTS  
TOTAL NO. OF PLOTS:

| PLOT NOS | AREAS IN SQ.YDS | PLOT NOS  | AREAS IN SQ.YDS | PLOT NOS | AREAS IN SQ.YDS | PLOT NOS | AREAS IN SQ.YDS |
|----------|-----------------|-----------|-----------------|----------|-----------------|----------|-----------------|
| 112010   | 187             | 1140121   | 176.66          | 2360327  | 200             | 4710418  | 232             |
| 112012   | 233             | 1140122   | 223.88          | 2360328  | 150             | 4710426  | 167             |
| 112022   | 167             | 1140123   | 200             | 2360329  | 200             | 4710438  | 233             |
| 23       | 233             | 1140131   | 150             | 237      | 237             | 4710442  | 167             |
| 114031   | 167             | 1140132   | 200             | 2381245  | 157             | 4710447  | 233             |
| 114032   | 233             | 1140141   | 150             | 2460247  | 212.23          | 4710470  | 167             |
| 114041   | 167             | 1140142   | 200             | 2460307  | 157             | 4710471  | 233             |
| 114042   | 233             | 1140151   | 150             | 2460308  | 212.23          | 4710472  | 167             |
| 1140521  | 167             | 1140152   | 200             | 2510308  | 112.5           | 4710481  | 160             |
| 114052   | 233             | 1140161   | 150             | 2510361  | 150             | 4710482  | 160             |
| 114061   | 167             | 1140162   | 200             | 2610163  | 200             | 4710481  | 112.5           |
| 114062   | 233             | 1140171   | 150             | 261      | 200             | 4710482  | 160             |
| 114071   | 167             | 1140172   | 200             | 262      | 1000            | 4710483  | 112.5           |
| 114072   | 233             | 1140181   | 150             | 266      | 246.56          | 4710484  | 167             |
| 114081   | 167             | 1140182   | 200             | 2670206  | 173             | 4710485  | 167             |
| 114082   | 233             | 1140190/1 | 150             | 301      | 246.56          | 4710486  | 167             |
| 114091   | 167             | 1140191   | 200             | 302      | 246             | 4710487  | 167             |
| 114092   | 233             | 1140192   | 150             | 303      | 246             | 4710488  | 167             |
| 114101   | 167             | 1140200   | 200             | 304      | 246             | 4710489  | 167             |
| 114102   | 233             | 1140201   | 150             | 305      | 246             | 4710490  | 167             |
| 114103   | 200             | 1140202   | 200             | 306      | 246             | 4710491  | 167             |
| 114104   | 150             | 1140203   | 150             | 307      | 246             | 4710492  | 167             |
| 114105   | 200             | 1140204   | 200             | 308      | 246             | 4710493  | 167             |
| 114106   | 233             | 1140205   | 150             | 309      | 246             | 4710494  | 167             |
| 114107   | 200             | 1140206   | 150             | 310      | 246             | 4710495  | 167             |
| 114108   | 233             | 1140207   | 150             | 311      | 246             | 4710496  | 167             |
| 114109   | 200             | 1140208   | 150             | 312      | 246             | 4710497  | 167             |
| 114110   | 233             | 1140209   | 150             | 313      | 246             | 4710498  | 167             |
| 114111   | 200             | 1140210   | 150             | 314      | 246             | 4710499  | 167             |
| 114112   | 233             | 1140211   | 150             | 315      | 246             | 4710500  | 167             |
| 114113   | 200             | 1140212   | 150             | 316      | 246             | 4710501  | 167             |

3' WIDE NALA

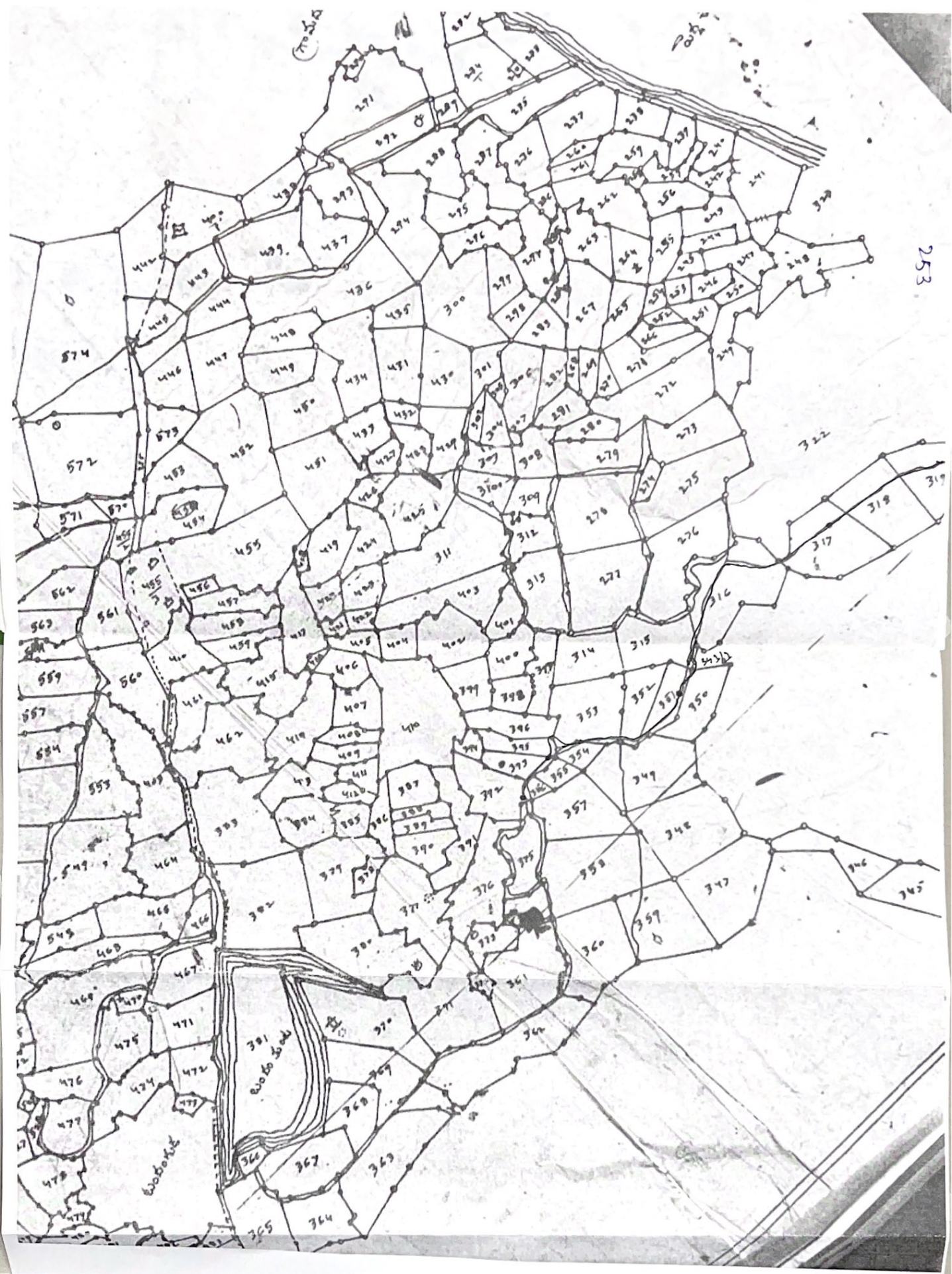
3' WIDE NALA



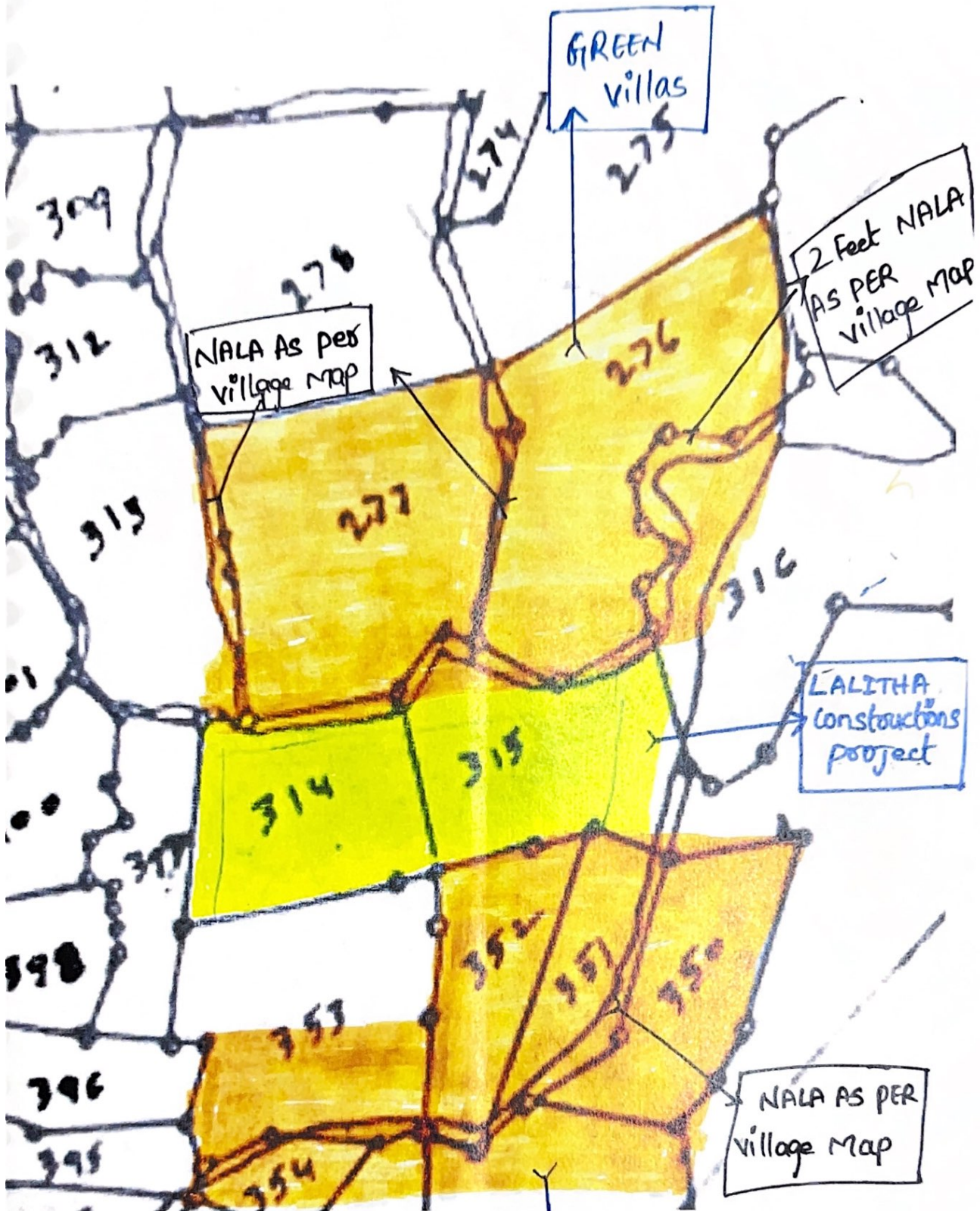
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OWNER SIGNATURE



253



KRISHNA  
BRUNDHAVAN  
Association.





**HYDERABAD METROPOLITAN DEVELOPMENT AUTHORITY**

District Commercial Complex, Administrative 'L' - Block,  
Tarnaka, Hyderabad - 500 007.

Planning Department

Application No. 038956/SKP/R1/U6/HMDA/10092020

Application Date 10/09/2020

Date : 24 March, 2021

To,

DAGPA M/s. LALITHA CONSTRUCTIONS AND DEVELOPERS Rep. by its  
Proprietor Mr. KAILA NARSIMHA,  
plot no.143, Sri Vijaya lakshmi Residency, Nallagandla, lingampally,RR  
dist,TS, hyderabad, telangana  
Pincode : 500050

Sir,

Sub: HMDA- Plg.Dept - Application for approval of Residential Bldg/Apartment building containing **PROPOSED (AMENITIES BLOCK) : 1Cellar + 1Stilt + 4, PROPOSED (BLOCK D) : 1Stilt + 5, PROPOSED (BLOCK C) : 1Stilt + 5, PROPOSED (BLOCK B) : 1Stilt + 5, PROPOSED (BLOCK A) : 1Stilt + 5** Upper floors in plot nos in Survey No. 276/B,277,314/A2,314/A3,314/A4, 314/C1/1,314/C1/2,314/C1/3,314/C1/4,314/C2 & 315 of Ameenapur Village, Ameenpur Municipality Mandal, Sanga Reddy District to an extent of 9,914.75 Sq. Mt. - Reg.

Ref: 1. This application number 038956/SKP/R1/U6/HMDA/10092020, Date: 10/9/2020

2. This DC letter addressed to the applicant , Date: 12/11/2020 .

With reference to your application cited, it is to inform that the application submitted by you for technical approval of Residential Bldg/Apartment in Sy.No. 276/B,277,314/A2,314/A3,314/A4, 314/C1/1,314/C1/2,314/C1/3,314/C1/4,314/C2 & 315 of Ameenapur Village, Ameenpur Municipality Mandal, Sanga Reddy District belonging to DAGPA M/s. LALITHA CONSTRUCTIONS AND DEVELOPERS Rep. by its Proprietor Mr. KAILA NARSIMHA, an extent of 9,914.75 Sq. Mt. has been examined and technical approval is accorded.

Therefore, you are requested to approach the Executive Authority, of Ameenapur Village, Ameenpur Municipality Mandal, Sanga Reddy District for the sanction and release the same.

This is for information.

For Metropolitan Commissioner



**HYDERABAD METROPOLITAN DEVELOPMENT AUTHORITY**  
 District Commercial Complex, Administrative 'L' - Block,  
 Tarnaka, Hyderabad - 500 007.  
 Planning Department

Date : 24 March, 2021

Application No. 038956/SKP/R1/U6/HMDA/10092020  
 Application Date 10/09/2020

To  
 The Executive Authority/Commissioner,  
 Ameenpur village/Municipality ,  
 Ameenpur mandal,  
 Sangareddy District.

Sir,  
 Sub: HMDA- Plg.Dept - Application for approval of Residential Bldg/Apartment building consisting of PROPOSED (AMENITIES BLOCK) : 1Cellar + 1Stilt + 4, PROPOSED (BLOCK D) : 1Stilt + 5, PROPOSED (BLOCK C) : 1Stilt + 5, PROPOSED (BLOCK B) : 1Stilt + 5, PROPOSED (BLOCK A) : 1Stilt + 5 Upper floors in plot nos in Survey No. 276/B,277,314/A2,314/A3,314/A4, 314/C1/1,314/C1/2,314/C1/3,314/C1/4,314/C2 & 315 of Ameenapur Village, Ameenpur Municipality Mandal, Sanga Reddy District to an extent of 9,914.75 Sq. Mt. - Technical Approval Accorded - Reg.

Ref: 1. This application number 038956/SKP/R1/U6/HMDA/10092020, Date: 10/9/2020  
 2. This DC letter addressed to the applicant , Date: 12/11/2020 .

Vide reference to application cited for technical approval of Residential Bldg/Apartment in plot Nos. In Sy.No. 276/B,277,314/A2,314/A3,314/A4, 314/C1/1,314/C1/2,314/C1/3,314/C1/4,314/C2 & 315 of Ameenapur Village, Ameenpur Municipality Mandal, Sanga Reddy District belonging to DAGPA M/s. LALITHA CONSTRUCTIONS AND DEVELOPERS Rep. by Its Proprietor Mr. KAILA NARSIMHA, to an extent of Ac. 9,914.75 Sq.Mtr. has been examined with reference to the notified/sanctioned master plans, zoning regularization and stipulated building regulations.

I. Technical approval No. : 038956/SKP/R1/U6/HMDA/10092020, Date : 24/03/2021  
 II. Name of the Owner and

Applicant address : DAGPA M/s. LALITHA CONSTRUCTIONS AND DEVELOPERS Rep.  
 by its Proprietor Mr. KAILA NARSIMHA,  
 plot no.143, Sri Vijaya lakshmi Residency, Nallagandla,  
 lingampally,RR dist,TS, hyderabad, telangana

Pincode : 500050

| Nature      | Number of the Block        | No. of Floors        | Built up Area | Height of the building |
|-------------|----------------------------|----------------------|---------------|------------------------|
| Commercial  | PROPOSED (AMENITIES BLOCK) | 1Cellar + 1Stilt + 4 | 744.48        | 11.8                   |
| Residential | PROPOSED (BLOCK A)         | 1Stilt + 5           | 5245.3        | 14.95                  |
| Residential | PROPOSED (BLOCK B)         | 1Stilt + 5           | 6053.4        | 14.95                  |
| Residential | PROPOSED (BLOCK C)         | 1Stilt + 5           | 6209.15       | 14.95                  |
| Residential | PROPOSED (BLOCK D)         | 1Stilt + 5           | 6276.95       | 14.95                  |

Applicant has paid all required Fees and charges to HMDA.

The applicant has made simple mortgage of 10% of built up area in favor of MC,HMDA as per rule 25 (d) of G.O. Ms No.168 Dt: 07.04.2012. The same is executed at Sub-Register SANGAREDDY, vide Doc No.12150,12151,12152,12153,12154,12155 Dt: 13/3/2021 at joint Sub-Registrar. The mortgage details are as follows:

| Block                      | Proposed Built-up Area | Required 10% Mortgage area | Provided Mortgage area(In Sq.mts) | Total Built up Area (In Sq.mts) |
|----------------------------|------------------------|----------------------------|-----------------------------------|---------------------------------|
| PROPOSED (AMENITIES BLOCK) | 744.48                 | 74.448                     | 76.02                             | 1042.12                         |
| PROPOSED (BLOCK A)         | 5245.3                 | 524.53                     | 529.2                             | 6472.62                         |
| PROPOSED (BLOCK B)         | 6053.4                 | 605.34                     | 609.81                            | 7487.01                         |
| PROPOSED (BLOCK C)         | 6209.15                | 620.915                    | 624.56                            | 7674.02                         |
| PROPOSED (BLOCK D)         | 6276.95                | 627.695                    | 629.83                            | 7710.59                         |
| Total                      | 24529.28               | 2452.928                   | 2469.42                           | 30386.36                        |

**GENERAL CONDITIONS FOR COMPLIANCE:-**

- a) The building plans shall be sanctioned by the Executive Authority in conformity with the technically approved plans by HMDA.
- b) The Executive Authority shall scrupulously follow the instructions of the Govt. vide Govt. Memo.No.1933/11/97-1 M.A., dated 18-6-97 i.e., ensure the ownership and ceiling clearance aspect of the site under reference are in order before sanctioning and releasing the technically approved building plans.
- c) The building plans technically approved by HMDA are valid for period of (6) years from date of issue of this letter if the work is commenced within the one year from the date of issue.
- d) With regard to water supply, drainage and sewerage disposal system to be provided / facilitated to the proposed building the Executive Authority shall ensure the following.
  - i. The location of water supply source & sewerage disposal source are located at appropriate distance within the site preferably at 100 feet distance so as to avoid contamination.
  - ii. The depth of the bore and sizes shall be limited to the minimum depth and size of existing nearby bore-well. Water shall be disinfected by adding hypo-solution to maintain 0.3 to 0.4 p.p.m. of residual chlorine in the sump / overhead tanks.
  - iii. Where main Gram Panchayat drains exist in vicinity of site, insist on connecting the treated sewerage to main existing drain by laying a sewer pipe of diameter ranging from 200mm. to 300mm.
  - iv. In case where such Gram Panchayat drain exist, insist on connecting the treated sewerage overflow to a natural drain or nala with a sewer pipe of diameter 150mm.
  - v. Before allowing the overflow mentioned in (iii) & (iv) above ensure the sewerage of the proposed building is invariably 1<sup>st</sup> into a common septic tank constructed on as per ISI standard specification (ISI) Code No.2470 of 1985 (Annexure - I) and constructed with a fixed contact bed, duly covered and ventilated for primary treatment. The Executive Authority shall ensure that no effluent / drainage over flows on the road or public place.
  - vi. To prevent chokage of sewers / drains, the last inspection chamber within the site / premises shall be provided with safety pads / gates.
  - vii. The party should clean that septic tank periodically by themselves, and cart away the sludge, etc., to an unobjectionable place.
  - viii. All the above shall be supervised and inspected by the Executive Authority concerned for compliance during the construction stage.
  - ix. Since eventually the public sewerage and water supply systems are expected to be systematically added / extended by the Hyderabad Metropolitan Water Supply & Sewerage Board to the outlying areas of Hyderabad, the proposed building owners shall pay proportionate pro-rata charges to Hyderabad Metropolitan Water Supply & Sewerage board for the above facilities as and when demanded by the Hyderabad Water Supply & Sewerage Board.
- e) The Executive Authority should ensure the party undertakes to abide by the conditions and pays the pro-rate charges, which may be imposed, for regularization the layout in terms of G.O.Ms.No.367 MA, dt.12-07-1988.
- f) The Executive Authority should ensure that the proposed building / complex is constructed strictly as per the technically approved building plans mandatory inspection shall be made at foundation stage, plinth level and first floor and subsequent floor level as required under G.O.Ms.No.168 MA, dt.07-04-2012 deviation, misuse or violations of minimum setbacks, common parking floor / stilt marking / violation and other balcony projections shall not be allowed.

- g) The Executive Authority shall allow the proposed building complex to be occupied used or otherwise let out etc., only after;
- (I) The proposed building is completed in accordance with the technically approved building plans;
  - (II) After ensuring all the above conditions at (a) to (I) are complied.
  - (III) After ensuring the conditions with regard to water supply and sewerage disposal system as mentioned in (d) above are complied to the satisfaction of the Executive Authority.
  - (iv) After issuing a "Fit for Occupancy" certificate by the Executive Authority as required as required under Government order No.248 MA, dt.23-05-1996.
- h) The Executive Authority shall ensure that the developer display a board at a prominent place at the site which shall show the plan and specify the conditions mentioned in this office letter, so as to facilitate public in the matter.
- i) That the applicant is responsible for structural safety and the safety requirement in accordance with the National Building Code of 2005.
- j) The applicant shall develop Rain Water harvesting structures in the site under reference as per brochure enclosed.
- k) That the applicant should erect temporary scheme to avoid spilling of materials outside the plot during construction to str environmental pollution to ensure safety and security of the pedestrians and neighbours.
- l) That the applicant shall made provisions for erection of Transformer and Garbage house with in the premises.
- m) That the applicant / builder / constructor / developer shall not keep their construction materials / debris on public road.
- n) That the applicant should ensure to submit a compliance report to HMDA soon after completion of first floor roof level and then all the roofs are laid so as to enable to permit him to proceed further by inspection of site by
- o) That the silts / Cellar should be exclusively use for parking for vehicles without any partition walls and Rolling shutters and the same should not be converted or the undertaking dated.
- p) It is also hereby ordered that the copy of approved plan as released by HMDA and local authority would be displayed at the construction site for public view.
- q) That the construction should be made strictly in accordance with this sanctioned plan. If any modifications are necessary prior approval should be obtained.
- s) This permission does not bar any public agency including HMDA to acquire the lands for public purpose as per law.

#### Proceeding Letter Conditions

1. The permission accorded does not confer any ownership rights, At a later stage if it is found that the documents are false and fabricated the permission will be revoked U/s 450 of HMC Act 1955.
2. If construction is not commenced within 18 months, building application shall be submitted afresh duly paying required fees.
3. Sanctioned Plan shall be followed strictly while making the construction.
4. Sanctioned Plan copy as attested by the HMDA shall be displayed at the construction site for public view.
5. Commencement Notice shall be submitted by the applicant before commencement of the building U/s 440 of HMC Act.
6. Completion Notice shall be submitted after completion of the building & obtain occupancy certificate U/s 455 of HMC Act.
7. Occupancy Certificate is compulsory before occupying any building.
8. Public Amenities such as Water Supply, Electricity Connections will be provided only by the local body in GHMC production of occupancy certificate.
9. Prior Approval should be obtained separately for any modification in the construction.
10. Tree Plantation shall be done along the periphery and also in front of the premises.
11. Tot-lot shall be fenced and shall be maintained as greenery at owners cost before issue of occupancy certificate.
12. Rain Water Harvesting Structure (percolation pit) shall be constructed.
13. Space for Transformer shall be provided in the site keeping the safety of the residents in view.
14. Garbage House shall be made within the premises.
15. Cellar and stilts approved for parking in the plan should be used exclusively for parking of vehicles without partition walls & rolling shutters and the same should not be converted or misused for any other purpose at any time in future as per undertaking submitted.
16. No. of units as sanctioned shall not be increased without prior approval of GHMC at any time in future.
17. Strip of greenery on periphery of the site shall be maintained as per rules.
18. Stocking of Building Materials on footpath and road margin causing obstruction to free movement of public & vehicles shall not be done, falling which permission is liable to be suspended.
19. The permission accorded does not bar the application or provisions of Urban Land Ceiling & Regulations Act 1976.

20. The Developer / Builder / Owner to provide service road wherever required with specified standards at their own cost.
21. A safe distance of minimum 3.0mts. Vertical and Horizontal Distance between the Building & High Tension Electrical Lines and 1.5mts. for Low Tension electrical line shall be maintained.
22. No front compound wall for the site abutting 18 mt. road widths shall be allowed and only Iron grill or Low height greenery hedge shall be allowed.
23. If greenery is not maintained 10% additional property tax shall be imposed as penalty every year till the condition is fulfilled.
24. All Public and Semi Public buildings above 300Sq.mts. shall be constructed to provide facilities to physically handicapped persons as per provisions of NBC of 2005.
25. The mortgaged built-up area shall be allowed for registration only after an Occupancy Certificate is produced.
26. The Registration authority shall register only the permitted built-up area as per sanctioned plan.
27. The Financial Agencies and Institutions shall extend loans facilities only to the permitted built-up area as per sanctioned plan.
28. The Services like Sanitation, Plumbing, Fire Safety requirements, lifts, electrical installations etc., shall be executed under the supervision of Qualified Technical Personnel.
29. Architect / Structural Engineer if changed, the consent of the previous Architect / Structural Engineer is required and to be intimated to the HMDA/GHMC.
30. Construction shall be covered under the contractors all risk Insurance till the Issue of occupancy certificate (wherever applicable).
31. As per the undertaking executed in terms of G.O. Ms. No. 541 MA, dt. 17-11-2000 (wherever applicable)
32. a. The construction shall be done by the owner, only in accordance with sanctioned Plan under the strict supervision of the Architect, Structural Engineer and site engineer failing which the violations are liable for demolition besides legal action.
33. b. The owner, builder, Architect, Structural Engineer and site engineer are jointly & severally responsible to carry out and complete the construction strictly in accordance with sanctioned plan.
34. c. The Owner, Builder, Architect, Structural Engineer and Site Engineer are jointly and severally are held responsible for the structural stability during the building construction and should strictly adhere to all the conditions in the G.O.
35. d. The Owner / Builder should not deliver the possession of any part of built up area of the building, by way of Sale / Lease unless and until Occupancy Certificate is obtained from HMDA after providing all the regular service connections to each portion of the building and duly submitting the following.
  36. i. Building Completion Certificate issued by the Architect duly certifying that the building is completed as per the sanctioned plan.
  37. ii. Structural Stability Certificate issued by the Structural Engineer duly certifying that the building is structurally safe and the construction is in accordance with the specified designs.
  38. iii. An extract of the site registers containing inspection reports of Site Engineer, Structural Engineer and Architect.
  39. iv. Insurance Policy for the completed building for a minimum period of three years.
40. Structural Safety and Fire Safety Requirements shall be the responsibility of the Owner, Builder/ Developer, Architect and St. Engineer to provide all necessary Fire Fighting installations as stipulated in National Building Code of India, 2005 like;
  41. a. To provide one entry and one exit to the premises with a minimum width of 4.5mts. and height clearance of 5mts.
  42. b. Provide Fire resistant swing door for the collapsible lifts in all floors.
  43. c. Provide Generator, as alternate source of electric supply.
  44. d. Emergency Lighting in the Corridor / Common passages and stair case.
  45. e. Two numbers water type fire extinguishers for every 600 Sq.mts. of floor area with minimum of four numbers fire extinguishers per floor and 5k DCP extinguishers minimum 2 Nos. each at Generator and Transformer area shall be provided as per I.S.I. specification No.2190-1992.
  46. f. Manually operated and alarm system in the entire buildings;
  47. g. Separate Underground static water storage tank capacity of 25, 000 Its. Capacity.
  48. h. Separate Terrace Tank of 25,000 Its. Capacity for Residential buildings.
  49. i. Hose Reel, Down Corner.
  50. j. Automatic Sprinkler system is to be provided if the basement area exceed 200 Sq.mts.
  51. k. Electrical Wiring and Installation shall be certified by the electrical engineers to ensure electrical fire safety.
  52. l. Transformers shall be protected with 4 hours rating fire resist constructions.
53. m. To create a joint open spaces with the neighbours building / premises for manoeuvrability of fire vehicles. No parking or any constructions shall be made in setbacks area.

**Special Conditions for Proceeding Letter**

1. The Owner / Developers shall ensure the safety of construction workers.
2. The Owner / Developers shall ensure a comprehensive insurance policy of construction workers for the duration of construction
3. To comply the conditions laid down in the G.O.Ms.No.16 MA, dt: 07-04-12.
4. The HMDA reserve the right to cancel the permission, if it is found that the permission is obtained by false statement or misinterpretation or suppression of any material facts or rule.
5. The applicant is the whole responsible if any discrepancy in the ownership documents and ULC aspects and if any litigation the technically approved building plans may withdraw without notice.

6. If any dispute litigation arises in future, regarding the ownership of a land the applicant shall responsible for the settlement of the same, HMDA are its employees shall not be a part to any such dispute / litigation.
7. Any conditions laid by the authority are applicable.
8. The applicant shall provide the Septic Tank and as per standard specification.
9. The party should clean that septic tank periodically by themselves, and cart way the sludge, etc., to an unobjectionable place.
10. All the above shall be supervised and inspected by the Executive Authority concerned for compliance during the construction stage.
11. The Executive Authority shall ensure that the developer display a board at a prominent place at the site which shall show the plan and specify the conditions mentioned in this office letter, so as to facilitate public in the matter.

**Additional/Other**

1. The building plan technically approved by HMDA is valid for a period of (6) year from the date of issue of this letter if the work is commenced within the one year from the date of issue.
2. The building plans shall be sanctioned by the Local Authority in conformity with the technically approved plans by HMDA
3. To prevent chokage of sewers / drains, the last inspection chamber within the site/ premises shall be provided the safely pads / gates.
4. The applicant is the whole responsible if any discrepancy in the ownership documents and ULC aspects and if any litigation the technically approved building plans may with-drawn without notice.
5. To comply the conditions laid down in the G.O.Ms.No.168, dt.07-04-2012.
6. This permission does not bar any public agency including HMDA to acquire the lands for public purpose as per law.
7. That the construction should be made strictly in accordance with this sanctioned plan. If any modifications are necessary prior approval should be obtained.
8. It is also hereby ordered that the copy of approved plans as released by HMDA and local authority would be displayed at the construction site for public view
9. That the applicant / builder / constructor / developer shall not keep their construction material / debris on public road.
10. That the applicant is responsible for structural safety and the safety requirement in accordance with the of National building Code of 2005.
11. The Executive Authority should ensure that the minimum width of approach road as indicated in the tech. The said road is developed and maintained as Black topped road with proper centre etc. before release of occupancy certificate as per letter submitted by the applicant
12. The party should clean that septic tank periodically by themselves, and cart away the sludge, etc., to an unobjectionable place.
13. That the applicant should erect temporary scheme to avoid spilling of materials outside the plot during construction to stop environmental pollution to ensure safety and security of the pedestrians and neighbors.
14. To create a joint open space with the neighboring building / premises for maneuverability of fire vehicles, No parking or any constructions shall be made in setbacks area. Master Plan for this area is under preparation. The Developer / Land Owner / Plot purchaser should accept the changes or conditions imposed by the competent authority time to time.
15. That the Stilts / Cellar should be exclusively used for parking of vehicles without any partition walls and Rolling shutters and the same should not be converted or the undertaking dated.
16. The applicant shall approach HMDA for Occupancy Certificate after completion of building plan as per the sanctioned plan within stipulated time.
17. Not to sell any flats which are mortgage in favour of HMDA
18. The applicant / developer are the while responsible if anything happens / while constructing the building.
19. The applicant should follow the Fire Service department norms as per Act 1999.
20. 3. 10.00 % of Built Up Area 2469.72 sq mts in the First floor Block-A to an extent of 524.52 sq.mts vide mortgage deed no 12150/2021 dt. 13/03/2021, Block -B in first floor to extent of 609.81sq.mts vide mortgage deed no 12152/2021 dt. 13/03/2021, Block-C in first floor to an extent of 624.55 vide deed no 12153/2021 dt. 13/03/2021, Block-D in first floor to an extent of 629.82 vide deed no 12154/2021 dt. 13/03/2021 and CLUB HOUSE IN ITO 4 FLOORS TO AN EXTENT OF 76.02 vide deed no 12155/201 dt. 13/03/2021 as shown in mortgage plan Mortgaged in favour of Metropolitan commissioner Hyderabad Metropolitan development Authority, Hyderabad at Joint Sub Registrar SangaReddy. as per Common Building Rules 2012 (G.O.Ms.No. 168, Dt: 07-04-2012.) and 5 % of Built Up Area 1245.75 sq mts in First Floor of Block-A, block-B, Block-C, Block-D and Club House are additionally Mortgaged, in lieu of Nala conversion certificate, in favour of Metropolitan commissioner, Hyderabad Metropolitan development Authority, Ameerpet, Hyderabad. Vide mortgage deed document no. 12151/2021 dt: 13/03/2021 at Office of the Joint Sub Registrar Sangareddy.
21. 5 % of Built Up Area 1245.75 sq mts in First Floor of Block-A, block-B, Block-C, Block-D and Club House are additionally Mortgaged, in lieu of Nala conversion certificate, in favour of Metropolitan commissioner, Hyderabad Metropolitan development Authority, Ameerpet, Hyderabad. Vide mortgage deed document no. 12151/2021 dt: 13/03/2021 at Office of the Joint Sub Registrar Sangareddy.
22. The applicant shall submit the Nala conversion certificate before approaching for Occupancy certificate from HMDA.
23. The applicant shall form the BT road before approaching for Occupancy certificate from HMDA.
24. If in case above said conditions are not adhered, HMDA / Local Authority can withdraw the said permission.

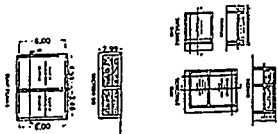
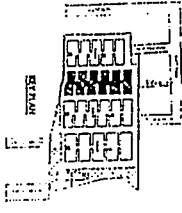
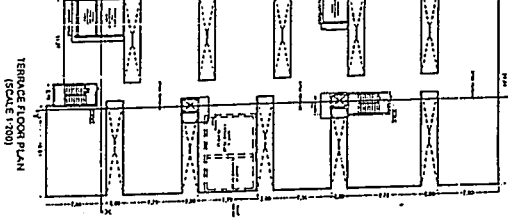
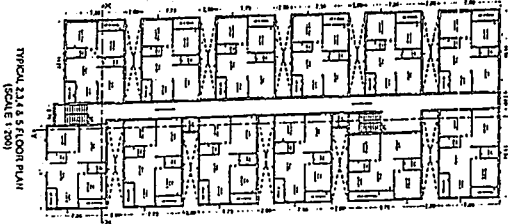
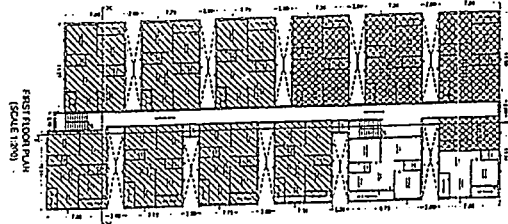
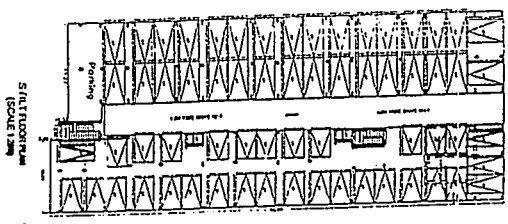
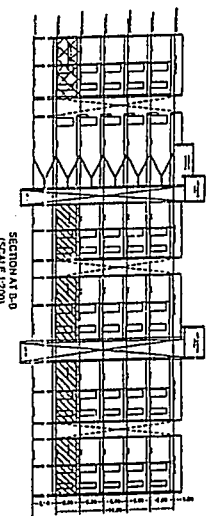
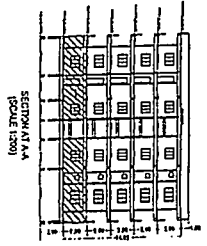
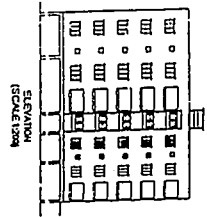
Yours faithfully,

For Metropolitan Commissioner, HMDA  
Planning Officer

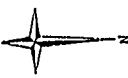
Copy to:

1. The Chairman & managing Director,  
Central Power Distribution Company Ltd,  
Singareni Bhavan,  
Red Hills,  
Hyderabad-500004

2. The Vice - Chairman & Managing Director,  
H.M.W.S & S.B,  
Khalrabad,  
Hyderabad.



NOTES: 1. All work shall be in accordance with the approved plans and specifications. 2. The contractor shall be responsible for obtaining all necessary permits. 3. The contractor shall maintain access to all adjacent properties at all times. 4. The contractor shall be responsible for the safety of all workers and the public. 5. The contractor shall be responsible for the protection of all existing utilities. 6. The contractor shall be responsible for the removal and disposal of all debris. 7. The contractor shall be responsible for the cleanup of the site. 8. The contractor shall be responsible for the final inspection and certification of the work. 9. The contractor shall be responsible for the payment of all taxes and fees. 10. The contractor shall be responsible for the completion of the work within the specified time frame.



Area Schedule Table

| NO. | DESCRIPTION    | AREA (SQ. FT.) | VOLUME (CU. YD.) |
|-----|----------------|----------------|------------------|
| 1   | FLOOR FINISH   | 10,000         | 10,000           |
| 2   | CEILING FINISH | 10,000         | 10,000           |
| 3   | WALL FINISH    | 10,000         | 10,000           |
| 4   | PAINT          | 10,000         | 10,000           |
| 5   | MECHANICAL     | 10,000         | 10,000           |
| 6   | ELECTRICAL     | 10,000         | 10,000           |
| 7   | PLUMBING       | 10,000         | 10,000           |
| 8   | CONCRETE       | 10,000         | 10,000           |
| 9   | STEEL          | 10,000         | 10,000           |
| 10  | WOOD           | 10,000         | 10,000           |
| 11  | GLASS          | 10,000         | 10,000           |
| 12  | INSULATION     | 10,000         | 10,000           |
| 13  | MECHANICAL     | 10,000         | 10,000           |
| 14  | ELECTRICAL     | 10,000         | 10,000           |
| 15  | PLUMBING       | 10,000         | 10,000           |
| 16  | CONCRETE       | 10,000         | 10,000           |
| 17  | STEEL          | 10,000         | 10,000           |
| 18  | WOOD           | 10,000         | 10,000           |
| 19  | GLASS          | 10,000         | 10,000           |
| 20  | INSULATION     | 10,000         | 10,000           |

Material Schedule Table

| NO. | DESCRIPTION | QUANTITY | UNIT    |
|-----|-------------|----------|---------|
| 1   | CEMENT      | 10,000   | CU. YD. |
| 2   | SAND        | 10,000   | CU. YD. |
| 3   | GRAVEL      | 10,000   | CU. YD. |
| 4   | STEEL       | 10,000   | TONS    |
| 5   | WOOD        | 10,000   | CU. YD. |
| 6   | GLASS       | 10,000   | SQ. FT. |
| 7   | INSULATION  | 10,000   | CU. YD. |
| 8   | MECHANICAL  | 10,000   | CU. YD. |
| 9   | ELECTRICAL  | 10,000   | CU. YD. |
| 10  | PLUMBING    | 10,000   | CU. YD. |
| 11  | CONCRETE    | 10,000   | CU. YD. |
| 12  | STEEL       | 10,000   | TONS    |
| 13  | WOOD        | 10,000   | CU. YD. |
| 14  | GLASS       | 10,000   | SQ. FT. |
| 15  | INSULATION  | 10,000   | CU. YD. |

Scale: 1/8" = 1'-0"

Scale: 1/8" = 1'-0"

OWNER'S SIGNATURE: *S. S. S.*

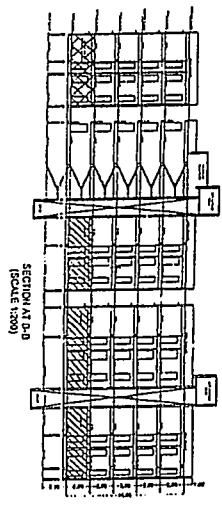
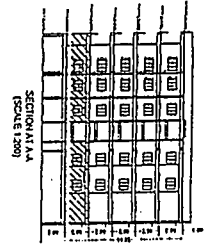
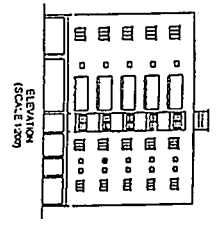
ARCHITECT SIGNATURE: *M. S.*

ENGINEER SIGNATURE: *T. S.*

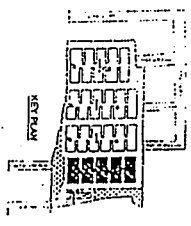
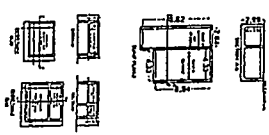
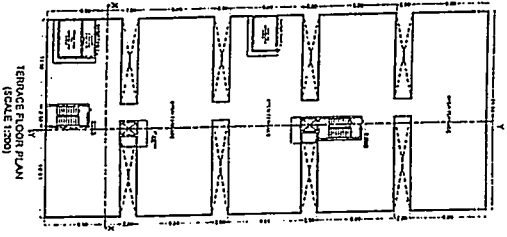
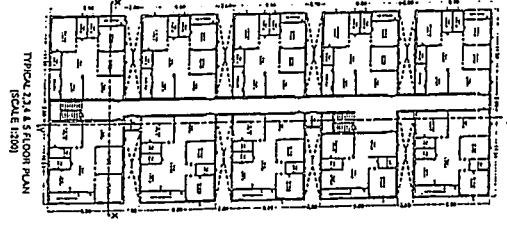
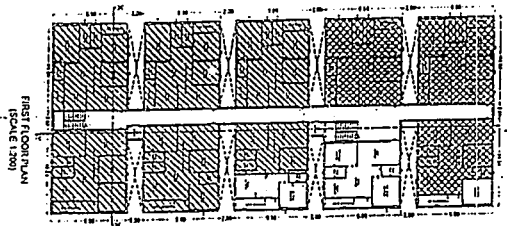
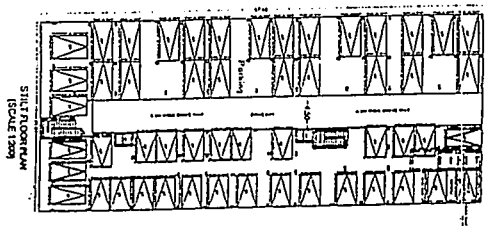
Specification Table

| SECTION | DESCRIPTION    | REMARKS |
|---------|----------------|---------|
| 1       | GENERAL NOTES  |         |
| 2       | FOUNDATION     |         |
| 3       | FLOOR FINISH   |         |
| 4       | CEILING FINISH |         |
| 5       | WALL FINISH    |         |
| 6       | PAINT          |         |
| 7       | MECHANICAL     |         |
| 8       | ELECTRICAL     |         |
| 9       | PLUMBING       |         |
| 10      | CONCRETE       |         |
| 11      | STEEL          |         |
| 12      | WOOD           |         |
| 13      | GLASS          |         |
| 14      | INSULATION     |         |





811



| NO. | DESCRIPTION | UNIT | QTY | REMARKS |
|-----|-------------|------|-----|---------|
| 1   | ...         | ...  | ... | ...     |
| 2   | ...         | ...  | ... | ...     |
| 3   | ...         | ...  | ... | ...     |
| 4   | ...         | ...  | ... | ...     |
| 5   | ...         | ...  | ... | ...     |
| 6   | ...         | ...  | ... | ...     |
| 7   | ...         | ...  | ... | ...     |
| 8   | ...         | ...  | ... | ...     |
| 9   | ...         | ...  | ... | ...     |
| 10  | ...         | ...  | ... | ...     |
| 11  | ...         | ...  | ... | ...     |
| 12  | ...         | ...  | ... | ...     |
| 13  | ...         | ...  | ... | ...     |
| 14  | ...         | ...  | ... | ...     |
| 15  | ...         | ...  | ... | ...     |
| 16  | ...         | ...  | ... | ...     |
| 17  | ...         | ...  | ... | ...     |
| 18  | ...         | ...  | ... | ...     |
| 19  | ...         | ...  | ... | ...     |
| 20  | ...         | ...  | ... | ...     |
| 21  | ...         | ...  | ... | ...     |
| 22  | ...         | ...  | ... | ...     |
| 23  | ...         | ...  | ... | ...     |
| 24  | ...         | ...  | ... | ...     |
| 25  | ...         | ...  | ... | ...     |
| 26  | ...         | ...  | ... | ...     |
| 27  | ...         | ...  | ... | ...     |
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NOTES:  
1. The building shall be constructed in accordance with the approved plans and specifications.  
2. The contractor shall be responsible for obtaining all necessary permits and approvals.  
3. The building shall be completed within the specified time frame.  
4. The contractor shall maintain access to adjacent properties at all times.  
5. The building shall be handed over to the owner upon completion of all work.  
6. The contractor shall be responsible for the safety of all workers and the public.  
7. The building shall be constructed in accordance with the latest building codes and regulations.  
8. The contractor shall be responsible for the quality of all workmanship and materials.  
9. The building shall be handed over to the owner in a clean and ready state.  
10. The contractor shall be responsible for the removal of all construction debris and waste.  
11. The building shall be constructed in accordance with the approved plans and specifications.  
12. The contractor shall be responsible for obtaining all necessary permits and approvals.  
13. The building shall be completed within the specified time frame.  
14. The contractor shall maintain access to adjacent properties at all times.  
15. The building shall be handed over to the owner upon completion of all work.  
16. The contractor shall be responsible for the safety of all workers and the public.  
17. The building shall be constructed in accordance with the latest building codes and regulations.  
18. The contractor shall be responsible for the quality of all workmanship and materials.  
19. The building shall be handed over to the owner in a clean and ready state.  
20. The contractor shall be responsible for the removal of all construction debris and waste.

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| NO. | DESCRIPTION | UNIT | QTY | REMARKS |
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OWNERS SIGNATURE: *[Signature]*  
 ARCHITECT SIGNATURE: *[Signature]*  
 STRUCTURAL SIGNATURE: *[Signature]*



**Item No.03:****BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI****Original Application No. 192 of 2021 (SZ)***(Through Video Conference)***IN THE MATTER OF**Human Rights & Consumer  
Protection Cell Trust,  
Rep. by its Chairman,  
Hyderabad and Another.**Versus**

सत्यमेव जयते

The State of Telangana,  
Rep. by its Chief Secretary,  
Hyderabad and others.

..Applicant(s)

..Respondent(s)

**Date of hearing: 27<sup>th</sup> August, 2021.****CORAM:****HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER****HON'BLE MR. DR. K. SATYAGOPAL, EXPERT MEMBER****For Applicant(s):** Mr. Thakur Rajkumar Singh (party-in person) (1<sup>st</sup>  
applicant)**For Respondent(s):** Mrs. H. Yasmeen Ali for R1, R2 & R5 to R8  
Mrs. H. Yasmeen Ali represented  
Mr. T.S. Sai Krishnan for 3 & 4**ORDER**

1. The grievance in this application is regarding the indiscriminate permission being granted by the 3<sup>rd</sup> respondent/Hyderabad Metropolitan Development Authority (HMDA) to the respondents 9 and 10 for constructions of a

building complex on a Nala as against the observations made by this Tribunal in O.A. No. 156 of 2016 (SZ) which is still pending. On account of such encroachments into the water bodies and Nalas the City of Hyderabad is facing with floods and in spite of this the authorities have not learnt any lessons as still such illegal permission is being granted.

2. It is also alleged in the application, that the builder now blocked the entire water path between the birds – watch lake (Kotha Cheruvu) and Bandamkommu Cheruvu of the Lakes with the construction materials. On account of the same during the recent rain, the water was blocked and the nearby colonies like RR Homes, Green Villas and Krishna Brundhavan Colony has submerged in the water. Though complaints were made to the authorities to redress the issue, no action was taken by them. So the applicant filed his application seeking the following reliefs:-

7.1 *“Cancel & Quash the – Technical Approval 038956/SKP/R1/U6/HMBA/10092020, Dt. 24.03.2021 issued by 3<sup>rd</sup> respondent – HMDA [Ex. No. 6, Pg, No. 58 – 64] with respect to Venture of 9<sup>th</sup> Respondent M/s. LALITHA CONSTRUCTIONS AND DEVELOPERS In Sy. No.s 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 & 315 of Ameenpur Village.*

7.2 *Restore all the Flood Water Nalas flowing from 1200/34 – Kotha Cheruvu Water Body down to 1200/43 Bandamkommu Cheruvu Water Body to their natural Path, Original size and Length and stop all diversions.*

*7.3. Demolish all the constructions in the FTL, Buffer-Zone and Nalas between the 1200/34 - Kotha Cheruvu Water Body down to 1200/43 Bandamkommu Cheruvu Water Body.*

*7.4 Direct the 10<sup>th</sup> respondent to construct proper drainage system, septic tank and STP for the 2<sup>nd</sup> Applicant Colony.*

3. It is time and again Hon'ble Apex Court, various Hon'ble High Courts including the Hon'ble High Court of Andhra Pradesh and Hon'ble High Court of State of Telangana, reiterated by this Tribunal that there is a duty cast on the State Government, its Departments and regulators and the local bodies to protect environment and avoid the water bodies being polluted as there is a constitutional mandate cast on them and a responsibility to protect environment as contemplated under Article 48 (A) of Constitution of India and Right to Clean Environment is a part of Right To Life as enshrined under Article 21 of the Constitution of India.
4. This Tribunal reiterated the necessity for protecting the water bodies and the necessity for fixing the flood plains and the Full Tank Level and also to provide buffer zone along the water bodies, so as to protect the water bodies against the encroachment and to provide a system for conservation of water which ultimately have impact on the environment and water recharging facility apart from acting as a storage reservoir of water. In spite of this, several complaints are being made alleging that no such steps were being taken by the authorities and they in an irresponsible manner granting

permissions which results in flood and other disasters during monsoon causing heavy loss for the exchequer itself, to provide relief measures and it also causes inconvenience to the people and may pose even risk to their life in the locality.

5. On going through the allegations made in the application, we are satisfied that there arises a substantial question of environment which requires the interference of this Tribunal for resolving the same. So, the application is admitted.
6. Issue notice to the respondents by Registered post with acknowledgement due, by e-mail and also by dusthi if possible and to produce proof of service on them by filing proof of affidavit as per rules.
7. The applicant is also directed to serve a copy of the application along with the documents produced to the standing counsel appearing for the respondents 1 to 8 within a week and produce proof of such service by filing proper affidavit as per rules.
8. The applicant is also directed to produce necessary requisites along with postal cover and the necessary postal stamps before this Tribunal within a week, so as to enable this Tribunal to send notice to all the respondents through Tribunal, to ensure service on them, and proceed against them, if they did not appear, in their absence in accordance with law.
9. In order to ascertain the genuineness of the allegations made in the application, we feel it appropriate to appoint a joint committee comprising

of (1) The District Collector, Sangareddy District, State of Telangana, (2) a Senior Officer from not below the rank of Superintending Engineer of Irrigation Department, Sangareddy District, Telangana State and (3) a Senior Officer from Lake Protection Committee, Hyderabad to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

10. The committee is directed to ascertain as to

- i) Whether there was any encroachment into the water bodies or Nalas and any construction has been made which is obstructing the flow of water in the Nala, which ultimately reaches the water bodies,
- ii) Whether on account of the obstruction caused to the Nalas and other water canal due to the construction activities alleged to have been construction activities undertaken by the respondents 9 and 10 any inundation of water has been happened in the areas mentioned in the application and what is the nature of action taken by the authorises to rectify the same and what are and the expenses incurred for meeting the situation,
- iii) If there is any damage caused to the environment, the committee is directed to assess the environmental compensation and also the remedial measures for restoring

the Nalas and assess the damages caused to the environment on account of the same and arrive at cost of restoration.

11. The Irrigation Department, Telangana State will be the nodal agency for co-ordination and for providing necessary logistics for this purpose.

12. Considering the nature of allegations made in the application and also the submission made by the applicant, who appeared in person that still some of the areas are water logged on account of the alleged illegal act, the committee is directed to inspect the area immediately on getting the information from the Tribunal through e-mail so as to assess the present condition, and incorporate the same in the report, if there is any violation found.

13. The committee is directed to take appropriate immediate action, if any required in accordance with law, if any violations are noticed.

14. The committee is directed to submit the report to this Tribunal on or before **30.09.2021**, by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.

15. The applicant is also directed to serve the copy of the application along with the documents produced to the members of the committee within a week, so as to avoid delay in submitting the report.

16. The Registry is directed to communicate this order to the members of the committee and also to the official respondents immediately through e-mail, along with the copy of the application and the documents produced so as to enable them to comply with the direction without delay, since this Tribunal had directed to conduct the inspection immediately.

17. For appearance of parties for filing independent response and also for consideration of report, post on **30.09.2021**.



सत्यमेव जयते

Sd/--

.....J.M.  
(Justice K. Ramakrishnan)

Sd/--

.....E.M.  
(Dr. K. Satyagopal)

O.A. No. 192/2021(SZ)  
27th August, 2021. Sr.



**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

TUESDAY, THE FIFTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY ONE

: PRESENT:

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

**WRIT PETITION NO: 25246 OF 2021**

**Between:**

M/s Lalitha Constructions and Developers, A Partnership Firm, Rep. by its Partner, Mr. Kaila Narsimha S/o Sri Kaila Seenaiyah, Occ Business, R/o Flat No. 304, Sri Vijaya Lakshmi Residency, HUDA colony, Chandanagar, Serilingampally K.V. Ranga Reddy District, Telangana - 500050.

Petitioner

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The Tahsildar, Ameenpur Village and Mandal, Sanga Reddy District.
3. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad,
4. The District Collector, Sanga Reddy District, Sanga Reddy.
5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy.
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy.
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District,
9. Krishna Brundhavan Association, Represented by its President K. Ramesh, S/o Narasimha Ramulu, Occ IT employee, R/o Bandamkommu, Plot No. 52-S, Krishna Brundhavan Colony, Ameenpur, Sanga Reddy District
10. Green Villas Colony, Rep. by its president Sri. P. Prabhakar Rao, R/o Plot No. 113, H.No. 5-1001104, Ameenpur Village and Mandal, Sanga Reddy District

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 order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the respondent No. 2 in issuing Notice No. B/1273/2021 dt. 25.09.2021 that the petitioner is encroaching the flood water canals between the Kothacheruvu and Bandamkommu tanks of Ameenpur village and mandal, violating the rules enumerated in the WALTA Act 2002 and directing the petitioner to submit explanation as to why the residential houses/ constructions should not be dismantled/removed from FTL/ Buffer zone areas of the lakes/tanks within the stipulated period of 15 days as illegal, arbitrary, violation of principles of natural justice and against settled provisions of law and consequently set aside the same;

**IA NO: 1 OF 2021**

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of the Notice No. B/1273/2021 dt. 25.09.2021 issued by the respondent No. 2, pending disposal of WP 25246 of 2021, 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 M/s Chandrasen Law Offices Advocate for the Petitioner and GP for Revenue for the respondent No. 1, 2, 4 & 5 and Sri Y. Rama Rao, Advocate for the respondent No. 3 and GP for Irrigation for the respondent No. 6 & 7 and Sri N. Praveen Kumar, Advocate for the respondent No. 8, the Court made the following.

**ORDER:**

Registry is directed to list this writ petition on 25.10.2021 along with W.P.No.25256 of 2021 after obtaining necessary orders from the Hon'ble The Acting Chief Justice.

In the meanwhile, the official respondents are directed not to take any coercive steps against the petitioner.

SD/- **B. SATYAVATHI**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

*B. Satyavathi*  
**SECTION OFFICER**

To, ,

1. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
2. The Tahsildar, Ameenpur Village and Mandal, Sanga Reddy District.
3. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tamaka, Hyderabad
4. The District Collector, Sanga Reddy District, Sanga Reddy.
5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District
9. K. Ramesh, S/o Narasimha Ramulu, President, Krishna Bhrundhavan Association, Occ IT employee, R/o Bandamkommu, Plot No. 52-S, Krishna Brundhavan Colony, Ameenpur, Sanga Reddy District
10. Sri. P. Prabhakar Rao, President, Green Villas Colony, R/o Plot No. 113, H. No. 5-1001104, Ameenpur Village and Mandal, Sanga Reddy District  
(Addressees 1 to 10 by RPAD)
11. The Section Officer, Writ (Non-Service), Section, High Court, Hyderabad
12. One CC to M/s. Chandrasen Law Offices Advocate [OPUC]
13. Two CC to GP for Revenue, High Court at Hyderabad. [OUT]
14. Two CC to GP for Irrigation, High Court at Hyderabad (OUT)
15. One spare copy

HIGH COURT

AARJ

DATED:05/10/2021

NOTE: POST ON 25.10.2021 ALONG WITH WP. NO. 25256 OF 2021

ORDER

WP.No.25246 of 2021

DIRECTION



**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

TUESDAY, THE FIFTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY ONE

: PRESENT:

**THE HON'BLE SRI JUSTICE K.LAKSHMAN**

**WRIT PETITION NO: 25256 OF 2021**

**Between:**

M/s Lalitha Constructions and Developers, A Partnership Firm, Rep. by its Partner, Mr. Kaila Narsimha S/o Sri Kaila Seenaiah, Occ. Business, R/o Flat No. 304, Sri Vijaya Lakshmi Residency, HUDA Colony, Chandanagar, Serilingamapally K.V. Ranga Reddy District, Telangana - 500050.

Petitioner

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department Secretariat, Hyderabad.
2. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad,
3. The District Collector, Sanga Reddy District, Sanga Reddy.
4. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority Ameenpur Village, Ameenpur Mandal, Sanga Reddy District.
5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy.
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy.
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District,
9. Krishna Bhruhavan Association, Represented by its President. K. Ramesh, S/o Narasimha Ramulu, Occ. IT employee, R/o Bandamkommu, Plot No. 52-S, Krishna Brundhavan Colony, Ameenpur, Sanga Reddy District
10. Green Villas Colony, Rep. by its president Sri. P. Prabhakar Rao, R/o Plot No. 113, H. No. 5-1001104, Ameenpur Village and Mandal, Sanga Reddy District

Respondents

WHEREAS the Petitioner above named through its Advocate M/s. Chandrasen Law Offices presented this 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 order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondent No. 2 in issuing Lr. No. 038956/SKP/R1/U6/HMDA/10092020 dt.21.08.2021 directing the petitioner to stop the construction of Apartments by obstructing the nala in Sy No. 276/B, 277, 314/A2, 314/A3, 214/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 and 315 in Ameenpur Village and Mandal, Sanga Reddy District and there by keeping the building permission vide No. 038956/SKP/R1/U6/HMDA/10092020 dt. 24.03.2021 in abeyance as illegal, arbitrary, violation of principles of natural justice and against settled provisions of law and consequently set aside the same;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri B. Chandrasen Reddy learned Senior counsel representing M/s. Chandrasen Law Offices Advocate for the Petitioner and GP for Municipal Administration who takes notice on behalf of respondent No. 1 and Sri Y. Rama Rao, Advocate who takes notice on behalf of respondent No. 2 and GP for Revenue who takes notice on behalf of 3 to 5 and GP for Irrigation who takes notice on behalf of respondent No. 6 & 7 and Sri N. Praveen Kumar who takes notice on behalf of respondent No. 8, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.

2. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad,
3. The District Collector, Sanga Reddy District, Sanga Reddy.
4. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority Ameenpur Village, Ameenpur Mandal, Sanga Reddy District.
5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy.
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy.
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District,
9. K. Ramesh, S/o Narasimha Ramulu, President, Krishna Bhruindhavan Association, Occ. IT employee, R/o Bandamkommu, Plot No. 52-S, Krishna Brundhavan Colony, Ameenpur, Sanga Reddy District
10. Sri. P. Prabhakar Rao, President, Green Villas Colony, R/o Plot No. 113, H. No. 5-1001104, Ameenpur Village and Mandal, Sanga Reddy District

are directed to show cause on or before 02.11.2021 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 1 OF 2021**

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the impugned Lr. No.038956/SKP/R1/U6/HMDA/10092020 dt.21.08.2021 issued by the respondent No. 2, pending disposal of WP No. 25256 of 2021, on the file of the High Court.

**The Court made the following**

**ORDER:**

**Notice before admission.**

**Learned counsel for the petitioner is permitted to serve notices on the ninth and tenth respondents.**

**Learned Government Pleader for Municipal Administration takes notice on behalf of the first respondent.**

**Sri Y.Rama Rao, learned standing counsel, takes notice on behalf of the second respondent.**

**Learned Government Pleader for Revenue takes notice on behalf of Respondent, Nos.3 to 5.**

**Learned Government Pleader for Irrigation and Command Area Development takes notice on behalf of sixth and seventh respondents.**

**Sri N.Praveen Kumar, learned standing counsel takes notice on behalf of the eighth respondent.**

**All of them seek time to file counters.**

**List on 02.11.2021.**

**A perusal of the record would reveal that the second respondent has granted an approval for construction of a residential building apartment in favour of the petitioner on 24.03.2021.**

**Now the second respondent had issued the impugned proceedings dated 21.08.2021 informing the petitioner that its building permission was kept in abeyance on the ground that the seventh respondent *vide* his report dated 17.08.2021 informed the second respondent that there is**

surplus channel is being diverted by the pattadars of the land in Sy.Nos.276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 and 315, 353 and 354 situated at Ameenpur Village and Mandal, Sanga Reddy District.

In the impugned proceedings dated 21.08.2021, the second respondent has referred about the report of the seventh respondent.

According to Sri B.Chandrasen Reddy, learned senior counsel, the seventh respondent without serving any notice on the petitioner and without giving any opportunity submitted the above said report.

Referring to the notice dated 25.09.2021 issued by the fourth respondent, learned Government Pleader for Revenue would submit that the fourth respondent informed the petitioner herein that there are encroachments in the Flood Water Canals between the Kothacheruvu and Bandamkommu tanks of Ameenpur Village and Mandals and as such violating the rules enumerated in the WALTA Act, 2002 and accordingly the fourth respondent directed the petitioner herein to submit explanation as to why the residential houses/constructions should not be dismantled/removed from FTL/Buffer zone areas of the lakes/tanks within the stipulated period of fifteen days.

Learned senior counsel would submit that the petitioner herein had filed a writ petition *vide* W.P.No.25246 of 2021 challenging the said notices and it is also listed for admission today. Learned Government Pleader for Irrigation and Command Area Development is directed to file copy of the final notification issued by the Competent Authority earmarking the FTL zone by way of issuing final notification.

*Prima facie*, the second respondent had issued the impugned proceedings dated 21.08.2021 and the fourth respondent had issued the notice dated 25.09.2021 without putting the petitioner on notice and without giving any opportunity to it.

In view of the above, the matter requires examination.

Therefore, there shall be interim suspension as prayed for.

SD/- K. SHYLESHI  
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad,
3. The District Collector, Sanga Reddy District, Sanga Reddy.
4. The Tahsildar and Ex-Office Chairman, Mandal Level WALTA Authority Ameenpur Village, Ameenpur Mandal, Sanga Reddy District.

5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy.
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy.
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District,
9. K. Ramesh, S/o Narasimha Ramulu, President, Krishna Bhrundhavan Association, Occ. IT employee, R/o Bandamkommu, Plot No. 52-S, Krishna Brundhavan Colony, Ameenpur, Sanga Reddy District
10. Sri. P. Prabhakar Rao, President, Green Villas Colony, R/o Plot No. 113, H. No. 5-1001104, Ameenpur Village and Mandal, Sanga Reddy District  
(Addressees 1 to 10 by RPAD along with a copy of petition and affidavit)
11. One CC to M/s Chandrasen Law Offices Advocate [OPUC]
12. Two CC to GP for Municipal Administration, High Court at Hyderabad. [OUT]
13. Two CC to GP for Irrigation, High Court at Hyderabad (OUT)
14. Two CC to GP for Revenue, High Court at Hyderabad (OUT)
15. One spare copy

HIGH COURT

KLJ

DATED:05/10/2021

NOTE: POST ON 02.11.2021

NOTICE BEFORE ADMISSION

WP.No.25256 of 2021

INTERIM SUSPENSION



A handwritten signature or scribble in black ink, consisting of a long, sweeping horizontal line that curves upwards at the right end.

**Item No.04:**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**Original Application No.192 of 2021 (SZ)**

(Through Video Conference)

IN THE MATTER OF:

Human Rights &amp; Consumer Protection Cell Trust,

...Applicant(s)

*Versus*

The State of Telangana and Ors.

...Respondent(s)

**Date of hearing: 01.11.2021.****CORAM:****HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER****HON'BLE DR. K. SATYAGOPAL, EXPERT MEMBER**

For Applicant(s): Mr. Thakur Rajkumar Singh, applicant in person.

For Respondent(s): Ms. Renuga for Ms. Yasmeen Ali for R1, R2, R5 to R8

Mr. T. Sai Krishnan for R3 and R4

Mr. Srinath Sridevan along with Mr. Bhagarath Krishnan for R9


Mr. Rajmakesh for R10

**ORDER**

1. The above case has been posted to today for appearance of parties and also independent response and consideration of report. The case was originally posted to 30.09.2021 for that purpose. On 30.09.2021, it was adjourned to today by notification.
2. 9<sup>th</sup> respondent has filed a memo stating that a stop memo was issued by the authorities, which has been challenged before the Hon'ble High Court of Telangana and an interim order for suspension has been granted

by the Hon'ble High Court in Writ Petition No. 25256 of 2021. The Learned Counsel for the 9<sup>th</sup> respondent wanted two weeks time for filing their detailed counter statement.

3. The Joint Committee has filed a report dated 29.10.2021, e-filed on 30.10.2021 and received today which reads as follows:

  
JOINT INSPECTION REPORT OF REVENUE, HMDA (LAKE PROTECTION COMMITTEE),  
HMDA (PLANNING), IRRIGATION AND MUNICIPAL OFFICIALS WITH REFERENCE TO  
THE APPLICATION FILED BEFORE HON'BLE NATIONAL GREEN TRIBUNAL, CHENNAI  
WITH APPN. NO. 192/2021.

Date of Inspection:- 01.09.2021 & 02.09.2021

The following officials have attended the Joint Inspection:

Sri.G. Veera Reddy, Additional Collector, Sangareddy District.  
Sri.J. Krishna Rao, Executive Engineer, Lake Protection Committee, HMDA,  
Hyderabad.  
Sri. P. Madhusudhan Reddy, Executive Engineer, Irrigation Division. No. 1, Sangareddy.  
Sri.C.RameshBabu, Revenue Divisional Officer, Sangareddy District.  
Sri.D.YadagiriRao, Planning Officer, HMDA, Hyderabad.  
Smt.A.Sujatha, Municipal Commissioner, Ameenpur Municipality  
Sri. G. UdayaBhaskerRao, Dy. Executive Engineer, IB Sub division No.5, Patancheru.  
Sri S.RameshCharan, Assistant Planning Officer, HMDA, Hyderabad  
Sri S.Vijay Kumar, Tahsildar, Ameenpur Mandal  
Sri.P. Venkat Ram Reddy, Assistant Executive Engineer, Irrigation Section, Ameenpur  
Sri. C. Yadaiah, Surveyor, Ameenpur (M).

\*\*\*\*\*

The Human Rights & Consumer Protection Cell Trust, represented by Sri Thakur Rajkumar Singh and Krishna Brundavan Association represented by Sri K. Ramesh filed the case OA No. 192 of 2021 before the Hon'ble NGT, Chennai for granting Technical Approval by the HMDA to the Respondents No.9 i.e., M/s Lalitha Constructions for construction of (5) Towers / Blocks of Apartments upon the Flood Water Canals (Outlet Nala of Kothacheruvu Tank and Inlet Nala of the Bandamkommu Tank of Ameenpur Village) in Part Sy.Nos.275, 277, 314 & 315 of Ameenpur Village on 24.03.2021 while there is a case pending before the Hon'ble NGT(SZ), Chennai in O.A.No.156 of 2016. Further in the O.A. the Petitioners stated that, the Respondent No.9 completely destroyed and damaged the natural flood water canals Kothacheruvu and Bandamkommu tanks and made deep excavations and started constructions of (5) blocks of multi floor apartments by completely blocking the Natural Flood Water Canals and diverting them to the adjacent colonies causing major flooding and destructions of private properties. Further stated that, despite repeated complaints the HMDA or other officials have not taken any steps to restore the Flood Water Nalas and cancel the technical approval given to the Respondent No.9 i.e., M/s Lalitha Constructions and the outflow of the water from the Kothacheruvu Tank has formed into a stagnant pool and ready to burst into the colonies whenever there is a heavy rain causing severe damage to the life and properties of the colonies. Further in the O.A it is stated that, the Respondent No.10 i.e., Sri Vemulamada Kumara Swamy developed venture with roads, electricity & drainage belonging to the 2<sup>nd</sup> Applicant and constructed about (150) houses in the layout, but did not construct proper sewerage

system, septic tank and Sewerage Treatment Plant in the colony due to which the Bandamkommu Tank is getting polluted. The Respondent No.10 i.e., M/s Lalitha Constructions had given an undertaking that he will complete the sewerage related works in the writing to the 2<sup>nd</sup> Applicant, but he did not complete the works till date. Also the Respondent No.10 is going on constructing houses without any permission in the FTL & Buffer zone of the Bandamkommu Tank with support of the Respondent No.7 i.e., The Municipal Commissioner, Ameenpur Municipality who has not taken any action taken to demolish the said illegal constructions and following relief

1. To cancel and quash the Technical approval 038956/SKP/R1/U6/HMDA/ 10092020, Dt: 24.03.2021 issued by 3<sup>rd</sup> respondent- HMDA with respect to venture of 9<sup>th</sup>respondent M/S Lalitha Constructions and Developers in SyNo.s 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 & 315 of Ameenpur village.
2. To restore all the flood water Nalas flowing from 1200/34- Kothacheruvu water body down to 1200/43 Bandham Kommu cheruvu water body to their natural path, originalsize and stop all diversions.
3. To demolish all the constructions in the FTL, Buffer Zone and Nalas between the1200/34 - Kothacheruvu water body down to 1200/43 –Bandham Kommucheruvu water body.
4. To direct the 10<sup>th</sup> respondent to construct proper drainage system, septic tank and STP for the 2<sup>nd</sup>Applicant Colony.

The Hon'ble National Green Tribunal (SZ), Chennai taking into consideration, the applications filed by the Petitioners, passed orders in O.A.No. 192 of 2021 dated 27.08.2021 appointing a joint committee comprising of the District Collector, Sangareddy, Senior Office from not below the rank of Superintending Engineer of irrigation Department, Sangareddy District and Senior Officer from Lake Protection Committee, Hyderabad to ascertain the genuineness of the allegations made in the application by inspecting the area in question and submit a factual as well as action taken report, if there is any violation found. Further the Hon'ble Tribunal directed the committee to ascertain as to

- i) Whether there was any encroachment into the water bodies or Nalas and any construction has been made which is obstructing the flow of water in the Nala, which ultimately reaches the water bodies.
- ii) Whether on account of the obstruction caused to the Nalas and other water canal due to the construction activities alleged to have been construction activities undertaken by the respondents 9 and 10 any inundation of water has been happened in the areas mentioned in the application and what is the nature of action taken by the authorities to rectify the same and what are and the expenses incurred for meeting the situation.
- iii) If there is any damage caused to the environment, the committee is directed to assess the environmental compensation and also the remedial measures for

restoring the Nalas and assess the damages caused to the environment on account of the same and arrive at cost of restoration.

In compliance to the orders of the Hon'ble National Green Tribunal (SZ) Chennai and as per the instructions of the committee, therefore mentioned officials jointly visited the area and inspected the water bodies situated at Ameenpur Village and flood water channel flowing from Kotha Cheruvu to Bandamkommu Cheruvu on 01-09-2021 and 02-09-2021 and marked the flood water stream and buffer area and submitted a report, detailing the survey number wise lands being covered under the flood water stream and buffer area of the Inlet and Outlet channels of Kothacheruvu and Bandamkommu Tanks of Ameenpur Village.

The following are the observations made by the joint inspection team with respect to the directions given by the Hon'ble NGT orders:

- I. (i) The lakes Kothacheruvu and Bandhamkommu Tanks of Ameenpur village are link tanks and as such the flood water channel from Kothacheruvu which is located on the upstream passes to Bandhamkommu Cheruvu which is located at a distance of about 1020 mts on the downstream. During the Joint inspection it is noticed that flood water channel stream from Kothacheruvu is identified as passing in Sy.Nos.319, 318, 317, 316, 315, 343/3, 350, 351, 352, 353, 396, 395, 393, 392, 376 and 375 of Ameenpur village and finally enters into Bandam Kommu Cheruvu. Further, it is noticed that the encroachments and constructions are observed in the flood water stream and its buffer area duly diverting the surplus course by dumping the soils and also reducing the width of the surplus course thereby partially obstructing the flow of water. The alignment of said surplus course is not shown in Revenue village map and in irrigation Department Map. As per the physical inspections and from Google maps extracts it is noticed that the said surplus course is passing through the aforesaid Survey Numbers.
- ii) On physical observation and as per the latest flood data the width of the surplus course is considered as 9.60Mts with 2.0 Mts of buffer zone applicable on either sides as per the conditions stipulated under G.O Ms No 168 of MA & UD Dept, Dt:07.04.2012 and upon demarcation the extent of land affected under the surplus course and buffer zone in Sy no wise are as tabulated below:

| Sl. NO | Sy. No | Extent (Ac-Gts) | Length of Nala(in Mts.) | Extent affected under Flood water Nala (Ac- Gts) | Extent affected under the Buffer of Nala (Ac- Gts) | Balance Area (Ac- Gts) | Remarks                              |
|--------|--------|-----------------|-------------------------|--|--|------------------------|--------------------------------------|
| 1      | 316    | 2-08            | 164.32                  | 0-05   | 0-02   | 2-01                   | Open land                            |
| 2      | 315    | 1-17            | 55.81                   | 0-01   | 0-01   | 1-15                   | Encroachment made by respondent 9 in |

|              |     |              |       |             |               |               |   |
|--------------|-----|--------------|-------|-------------|---------------|---------------|---|
|              |     |              |       |             |               |               | the surplus stream and buffer Zone and also some constructions like club house are taken up in buffer zone. |
| 3            | 350 | 0-38         | 13.60 | 0-01        | 0-00.5        | 0-36.50       | Construction of houses partly taken up in surplus stream/ Buffer Zone by Respondent 10                      |
| 4            | 351 | 0-24         | 33.24 | 0-03        | 0-01          | 0-20          | Construction of houses partly taken up in surplus stream/ Buffer Zone by Respondent 10                      |
| 5            | 352 | 1-04         | 39.73 | 0-03.5      | 0-01.5        | 0-39          | Open land   |
| 6            | 353 | 1-21         | 114   | 0-08        | 0-03          | 1-10          | Perpetual Injunction covered with Court decree in Original Suit No.380 of 2019                              |
| 7            | 396 | 1-21         | 56.79 | 0-07.5      | 0-02          | 01-11.5       | Open land   |
| 8            | 395 | 0-15         | 32.06 | 0-01.5      | 0-01          | 0-12.5        | Open land   |
| 9            | 393 | 0-09         | 14.24 | 0-00.5      | 0-00.5        | 0-08          | Open land   |
| 10           | 392 | 0-39         | 76.43 | 0-05        | 0-02          | 0-32          | Open land   |
| <b>Total</b> |     | <b>10-36</b> |       | <b>0-36</b> | <b>0-14.5</b> | <b>9-25.5</b> |   |

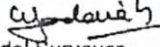

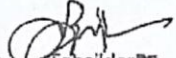

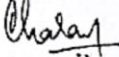
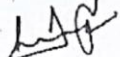
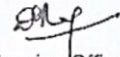

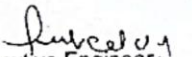
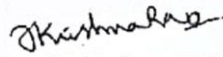
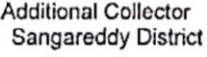
- i) It is also found that, in Sy.No.315 M/s Laitha Constructions has made some construction (like club house) in the alignment of surplus channel and buffer Zone. Further in Sy.Nos.350 & 351 of Ameenpur (V) one Sri.Vemulamada Kumara Swamy has constructed 3 individual residential buildings which are partly affected in surplus channel/Buffer Zone
- ii) During recent rains, due to the obstructions created in the natural water path by dumping of soils and also due to construction activity taken up by the respondents has been resulted in inundation / water logging of nearby colonies

Further in this regard a letter has been addressed to the HMDA Authorities, vide EE Irrigation letter no: EE/ID/SRD/DB/DEE(T)/HD2/305D:17-08-2021 to cancel / review the building permissions granted in favour of the Respondent No.9 in part of the subject lands. In pursuance of the same HMDA has kept the building permission in Abeyance and stopped the construction and stated further action will be taken after following due procedure.

It is also revealed that the Respondent No.10 has got building permission from the then Grampanchayath of Ameenpur. Therefore, the District Panchayath Officer, Sangareddy is directed to take immediate necessary action for cancellation of the permissions issued by the then Grampanchayath of Ameenpur (v).

III) It is to submit that, regarding the aspect of the environment it is requested to address the Pollution Control Board authorities to assess if there is any damage to the environment and to assess the environmental compensation and also remedial measures for restoring the flood water channel and to assess the damages caused to the environment on account of the action of the respondents and to arrive the cost for restoration.

We here by submit the report, in light of the orders of the Hon'ble National Green Tribunal(SZ) Chennai passed in O.A No. 192 of 2021 Dated 27.08.2021 and as per the instructions of the Committee.

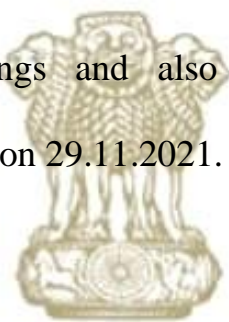
|  |   |  |   |
|--|---|--|---|
| <br>Mandal Surveyor,<br>AmeenpurMandal                          | <br>Asst Executive Engineer<br>IB Section, Ameenpur  | <br>Tahsildar,<br>Ameenpur Mandal                 | <br>Dy Executive Engineer<br>Sub-Division.No.5, Patancheru |
| <br>Asst Planning Officer<br>HMDA, Hyderabad                    | <br>Municipal Commissioner<br>Ameenpur, Municipality | <br>Planning Officer<br>HMDA, Hyderabad           | <br>Revenue Divisional Officer<br>Sangareddy               |
| <br>Executive Engineer,<br>Irrigation Division No.1, Sangareddy | <br>Executive Engineer, LPC<br>HMDA Hyderabad        | <br>Additional Collector<br>Sangareddy District |   |

4. Parties are at liberty to file their objections to the Joint Committee as well.
5. They are directed to complete the pleadings as well as file their objections, if any, to the Joint Committee report on or before 29.11.2021 by e-filling in the form of searchable PDF/OCR supportable PDF and

not in the form of image PDF along with necessary hardcopies to be produced as per Rules.

6. The Registry is directed to communicate this order to the official respondents by e-mail immediately for their information and compliance of the direction.

7. For completion of pleadings and also for filing objections and consideration of report, post on 29.11.2021.



सत्यमेव जयते

.....J.M.  
(Justice K. Ramakrishnan)

.....E.M.  
(Shri. Dr. K. Satyagopal)

O.A. No. 192/2021(SZ)  
1<sup>st</sup> November, 2021. (AM)



BY RPAD

10.06.2022

The District Irrigation Officer,  
Sangareddy District,  
4-7-24/3, Sangareddy Bypass Road,  
Revenue Colony, Balaji Nagar,  
Sangareddy, Telangana- 502 001.

Sir,

Sub: Encroachment of Flood Water Nala from Pedda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank by Krishna Brundhavan Association and permission to construct underground drain pipeline for restoring the flood water nalas.

Ref:

1. Village Map of Ameenpur Village & Mandal, Sangareddy District.
2. Layout Map submitted to the Gram Panchayat by the Developer of Krishna Bhrundavan Association.
3. Satellite Map showing nalas and flood water canals.
4. Building Permission along with the Plan obtained by M/s. Lalitha Constructions.
5. OA. No. 192 of 2021 filed by HRCPL and Krishna Brundhavan Association before the Hon'ble National Green Tribunal, Chennai.
6. Report filed by the Committee in OA. No. 192 of 2021 before the Hon'ble National Green Tribunal, Chennai.
7. Counter Affidavit filed by M/s. Lalitha Constructions And Developers in OA. No. 192 of 2021.

8. W.P. Nos. 25246 & 25256 of 2021 filed by M/s. Lalitha Constructions And Developers before the Telangana High Court and the Interim Suspension Order dated 05.10.2021.

1. This is in relation to the captioned subject and referenced documents. We are addressing this representation to you in order to bring to your notice the encroachments on water bodies in Ameenpur Village and a proposal for streamlining the surplus flood water from Pedda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank through underground hume pipes.
2. M/s. Lalitha Constructions And Developers is a partnership firm constituted in the year 2014 with the objective to undertake construction and development activities. M/s. Lalitha Constructions And Developers through Sale Deeds and Development Agreement cum General Power of Attorney in its favour obtained Building Permission reference 4<sup>th</sup> cited above for constructing Residential Building/Apartment building consisting of PROPOSED (AMENITIES BLOCK) : 1Cellar + 1Stilt + 4, PROPOSED (BLOCK D) : 1Stilt + 5, PROPOSED (BLOCK C) : 1Stilt + 5; PROPOSED (BLOCK B) 1Stilt + 5, PROPOSED (BLOCK A) 1 Stilt + 5 Upper floors in plot Nos in Survey No. 276/B,277,314/A2,314/A3,314/A4, 314/C1/1,314/C1/2,314/01/3,314/C1/4,314/C2 & 315 of Ameenpur Village, Ameenpur Municipality Mandal, Sanga Reddy District to an extent of 9,914.75 Sq. Mt.
3. Our project does not encroach any water bodies or water channels. However, a neighbouring project viz. Krishna Brundhavan was rashly built by encroaching on a water channel, resulting in inundation of water in all neighbouring areas.

4. We took all care, precaution and approvals while building our project. The HMDA Authorities also gave approvals for the same. It is relevant to state that Krishna Brundhavan's approvals were granted, subject to their leaving a channel for water flow along a road running through the property. Unfortunately, they greedily built a road and never left any path for the water to flow.
5. It was during the months of July to October 2021 when there were heavy rainfalls in the state of Telangana, there was water inundation near the construction site and it was only then that M/s. Lalitha Constructions And Developers found out that the water inundation is due to the encroachments over the water flood water nalas by Krishna Brundhavan Association which is in the downstream of the surplus flood water flow from Pedda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank.
6. M/s. Lalitha Constructions And Developers had immediately approached Krishna Brundhavan Association requesting them to provide provision for the surplus flood water to flow into the Bandamkommu Tank. However, Krishna Brundhavan Association refused to act on the request, and M/s. Lalitha Constructions And Developers was unable to proceed with the construction of the buildings which were approved by the HMDA due to large water inundation near the construction site. In order to continue with the construction in accordance with the RERA Act, 2016 and left with no other option, M/s. Lalitha Constructions And Developers had on its own expenditure created a trench through its land for the surplus flood water to flow into the agricultural lands.

7. Krishna Brundhavan Association knowing fully well that they have acted in derogance with the extant laws and encroached the flood water nala, thereafter had cunningly filed an application vide reference 5<sup>th</sup> cited above before the Hon'ble National Green Tribunal, Chennai alleging that M/s. Lalitha Constructions And Developers had encroached flood water nala which led to the water inundation.
8. On a bare look at the references cited 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> above, it is evident that the natural flow of the surplus flood water from Pedda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank is through the lands in which Krishna Brundhavan Association has constructed more than 100 houses/buildings by encroaching the nala and blocking the natural stream of water. It is also pertinent to note that the developer of the colony knowing full well that the flood water channel was being encroached made an alternative provision for the flow of surplus flood water into the Bandamkommu Tank through the 40 ft wide road connecting to the 60 ft. wide road. However, the flood water nala was never restored by Krishna Brundhavan Association, thereby causing water inundation in the nearby areas during the monsoon season.
9. It is pertinent to note that the Hon'ble National Green Tribunal, Chennai had constituted a Committee and directed them to file a report on the status of the nalas and the buffer zones. The Committee had filed a Report reference cited 6<sup>th</sup> above wherein they have categorically found that Krishna Brundhavan Association encroached upon the flood water nalas in Sy. Nos. 350 and 351.
10. It is pertinent to note that M/s. Lalitha Constructions And Developers filed its Counter Affidavit with the Hon'ble National Green Tribunal, Chennai with respect to the mala fide acts of Krishna Brundhavan Association to side

track their encroachment over the nalas. M/s. Lalitha Constructions And Developers had also filed Writ Petitions vide WP. Nos. 25246 & 25256 of 2021 before the Hon'ble Telangana High Court challenging the Order dated 21.08.2021 passed by the HMDA keeping the building permission in abeyance, and the Show Cause Notice dated 25.09.2021 issued by the Tahsildar, Ameenpur Village with respect to demolition by setting out detailed facts and documents with respect to encroachment over the surplus flood water nalas by Krishna Brundhvan Association. The Hon'ble Telangana High Court vide its order dated 05.10.2021 granted an interim suspension of the said orders.

11. It is under these circumstances that M/s. Lalitha Constructions And Developers in accordance with the Building Permission granted to it and its obligations under the RERA Act, 2016 continued with its construction activities. However, as the monsoon is due in July 2022, and there is not much of irrigation activity in the Ameenpur Village due to urbanisation and conversion of agricultural lands for non-agricultural purposes i.e., ventures and development, there is a high probability that the surplus flood water from Pedda Cheruvu Tank and Kotha Cheruvu Tank will be stagnated near the construction site of M/s. Lalitha Constructions And Developers leading to stoppage of work and untold hardship due to the encroachment/blockage of the flood water nalas by Krishna Brundhavan Association.

12. In light of the above, M/s. Lalitha Constructions And Developers in order to avoid any stoppage of work due to water inundation thereby affecting the interests of all the allottees who have put in their hard earned money into this project, it is hereby requesting your good office to grant permission to it for constructing the drain with hume pipes underground along the 40 ft. road laid by Krishna Brundhavan Association in their colony (which was originally shown as the passage of flood water nala in the layout

map reference 2<sup>nd</sup> cited above) for easy flow of surplus flood water into the Bandamkommu Tank. This would avoid any kind of water inundation in the areas and would also result in restoration of the flood water nalas.

13. On receiving permission from your good office for construction of underground drain pipes along the 40 ft. road in the Krishna Brundhavan Colony, M/s. Lalitha Constructions And Developers also reserves its right to recover the costs for the same from the Krishna Brundhavan Association, who are the encroachers of the water body causing environmental damage and untold hardship to neighbourhood during the upcoming monsoon season in July 2022.

In light of the above, your good office is requested to consider the representation and grant permission to M/s. Lalitha Constructions And Developers for construction of underground drain pipes along the 40 ft. road in the Krishna Brundhavan Colony, and protect the environment and avoid water inundation in the nearing monsoon season.

Yours Sincerely,

Kaila Narasimha,  
Managing Partner,  
M/s. Lalitha Constructions And Developers

BY RPAD

10.06.2022

To  
 The Executive Engineer  
 The District Irrigation Officer,  
 Irrigation Division No 1 Sangareddy  
 Sangareddy District,  
 4-7-24/3. Sangareddy Bypass Road,  
 Revenue Colony, Balaji Nagar,  
 Sangareddy, Telangana- 502 001.

Sir,

Sub: Encroachment of Flood Water Nala from Pedda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank by Krishna Brundhavan Association and permission to construct underground drain pipeline for restoring the flood water nalas.

Ref:

1. Village Map of Ameenpur Village & Mandal, Sangareddy District.
2. Layout Map submitted to the Gram Panchayat by the Developer of Krishna Brundhavan Association.
3. Satellite Map showing nalas and flood water canals.
4. Building Permission along with the Plan obtained by M/s. Lalitha Constructions.
5. OA. No. 192 of 2021 filed by HRCPL and Krishna Brundhavan Association before the Hon'ble National Green Tribunal, Chennai.
6. Report filed by the Committee in OA. No. 192 of 2021 before the Hon'ble National Green Tribunal, Chennai.
7. Counter Affidavit filed by M/s. Lalitha Constructions and Developers in OA. No. 192 of 2021.

5.50.1022/1

|   |
|---|
| Executive Engineer I&CADD<br>Irrigation Division No 1<br>Sangareddy, District, Sangareddy.<br>IW No: .....<br>Date: .....<br>10/06/2022 |
|---|

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No. 28853 of 2022

ORDER:

Questioning the action of the respondent No.2 – Executive Engineer, Department of Irrigation & CAD, Sanga Reddy District, in not considering the representation of the petitioner dated 10.06.2022 for construction of underground drain pipes along the 40 ft. road in Krishna Brundhavan Colony to protect the environment and avoid water inundation in the monsoon season, the petitioner has filed the present Writ Petition.

Without going into the merits or demerits of the case, having regard to the fact that the petitioner has already made a representation dated 10.06.2022 to the respondent No.2, the respondent No.2 is directed to consider the petitioner's representation dated 10.06.2022 and pass necessary orders in accordance with law, duly putting the petitioners as well as the respondent Nos.9 and 10 on notice and any other interested

party, as expeditiously as possible, preferably, within a period of four (4) weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

A. ABHISHEK REDDY, J

12<sup>th</sup> JULY, 2022.

*kvni*

GOVERNMENT OF TELANGANA  
IRRIGATION & CAD DEPARTMENT

From:  
Sri. P. Madhusudhan Reddy, B.E  
Executive Engineer, I&CADD,  
Irrigation Division No.1, Sangareddy.

To:  
Kalla Narasimha, Managing Partner,  
Lalitha Constructions, Green Villas  
Road No.3, Ameenpur, Hyd-502032.

Ir. No. EE/ID.No.1/SRD/DEE(T)/AEE1/ 337

Dated: 21/09/2022.

Gentleman,

Sub:-Encroachment of Flood Water Nala from Pedda Cheruvu Tank and Kotha cheruvu Tank to Bandamkommu Tank by Krishna Brundhavan Association and Permission to construct an underground drain pipeline for restoring the flood water nalas- Reg.

Ref:-1.Hon'ble High court order Dt:12.07.2022 in W.P No:28853 of 2022 received on Dt:29.08.2022

2. Hon'ble National Green Tribunal, Southern Zone, Chennai Orders in O.A No.192 of 2021 dated:27.08.2021.

3. Kalla Narasimha, Managing Partner of Lalitha Constructions & Developers letter Dated 10.06.2022.

4. Kalla Narasimha, Managing Partner of Lalitha Constructions & Developers letter Dated 18.08.2022.

-x-x-x-x-

The Hon'ble High court for the state of Telangana vide orders dated 12.07.2022 received on dated:29.08.2022 has directed respondent No.2 i.e. Executive Engineer, Irrigation Division No.1, Sangareddy to consider the petitioner's representation dated 10.06.2022 and pass necessary orders in accordance with the law, duly putting the petitioners as well as respondents Nos:9 and 10 on notice and any other interested party, as expeditiously as possible, preferably, within a period of four (4) weeks from the date of receipt of a copy of the order.

In pursuance of the Hon'ble High Court orders, your representation dated 10.06.2022 has been examined vis-à-vis the prevalent stipulated guidelines and the recommendations of the Joint committee constituted by the Hon'ble National Green Tribunal, Chennai in O.A. No. 192 of 2021, the representation dated 10.06.2022 is disposed off with the following clarifications.

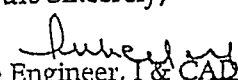
1. In compliance with the orders Dt: 27.08.2021 passed by Hon'ble National Green Tribunal, Chennai in O.A. No. 192 of 2021, the Joint Committee constituting the officials of Revenue, HMDA and Irrigation Department have inspected the site of Lalitha Constructions and the

flood water Nala of Kotha cheru surplus on 01.09.2021 & 02.09.2021. As per the joint inspection report, the flood water Nala/stream from Kotha cheruvu is identified as passing in Sy.Nos.319,318,317, 316,315,343/3, 350,351,352,353,396,395,393,392,376 and 375 of Ameenpur village and finally entering into Bandam Kommu cheruvu on the downstream.

2. Further, the Committee observed encroachments and constructions in the flood water Nala and its buffer zone duly diverting the Flood water Nala by dumping the soils across its natural path and also reducing the width of the Flood water Surplus Nala thereby partially obstructing the flow of water. As per the Physical verification and Google maps extracts, the flood water Nala is observed passing through the aforesaid survey numbers and as per the latest flood data, the width of the flood water Nala is considered as 9.60 mts with 2.0 mts buffer Zone on either side as per the conditions stipulated under G.O Ms. No. 168 of MA&UD Department, Dt: 07.04.2012.
3. Further, it is relevant to indicate here that the catchment area of Pedda cheruvu and Kotha cheruvu is about 31.60 Sq.Kms and the Maximum flood discharge calculated is about 129.42 Cumecs (4570 cusecs). In order to accommodate such a huge maximum flood discharge, optimally the flow is required to be maintained as an open channel. The request for construction of underground drain pipes along the 40 ft road in the Krishna Brundhavan colony, as put forth vide your representation, is not a technically viable alternative to accommodate the maximum flood discharge as the same would lead to obstruction of free flow of flood water thereby causing inundation of the area. Further, any such forcible and illegal deviation in the natural free flow will also disturb the prevalent ecosystem.

In view of the above, it is to inform you that the proposal submitted vide your representation dated 10.06.2022 cannot be acceded to and the surplus channel course i.e Flood water Nala should be maintained with a minimum width of 9.6 mts in its natural course without any diversions as per the recommendations of the Joint committee.

Yours Sincerely,

  
Executive Engineer, I & CADD, 21/03/2022  
Irrigation Division No.1, Sangareddy.

Dt.10.12.2022

To  
 The Executive Engineer,  
 Sangareddy District,  
 4-7-243, Sangareddy bypass Road,  
 Revenue Colony, Balaji Nagar,  
 Sangareddy, Telangana – 502001.

Respected Sir,

Sub:- Encroachment of Flood Water Nala from Peeda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank by Krishna Brundhavan Association and Permission to construct an Underground Drain Pipeline for restoring the Flood Water Nalas – Reverification physically by the competent authority – requested – Reg.

Ref:- (1) My Representation as Managing Partner of M/s. Lalitha Constructions & Developers on 18.08.2022. ✓

(2) Executive Engineer, Irrigation Division No.1, Lr.No.EE/ID.No.1/SRD/DEE(T)/AEE1/337, dt.21.09.2022.

I, Kaila Narsirha, Managing Partner of M/s. Lalitha Constructions and Developers, a partnership firm commenced in the year 2014 and has constructed building apartment consisting of (AMENITIES BLOCK) : 1Cellar + 1Stilt + 4, PROPOSED (BLOCK D) : 1Stilt + 5, PROPOSED (BLOCK C) : 1Stilt + 5, PROPOSED (BLOCK B) 1Stilt + 5, PROPOSED (BLOCK A) 1 Stilt + 5 Upper floors in plot Nos. in Survey No. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/01/3, 314/C1/4, 314/C2 & 315 of Ameenpur Village, Ameenpur Municipality Mandal, Sanga Reddy District to an extent of 9,914.75 Sq. Mt. vide application No.038956/SKP/R1/U6/HMDA/10092020 dt.10.09.2020 in Sy.No.315, and technical approval accorded by HMDA vide No.038956/SKP/R1/U6/HMDA/10092020, Dt,10.09.2020

During the rainy season of 2021, the surplus Nala flowing from Kotha Cheruvu located at the upstream of Bandamkommu. The water is inundated, due to obstructions made by the ventures constructions materials, the Nala is

filled and over topped and entered into the Krishna Brundhavan Colony and other ventures' houses.

Further, it is to submit that, during the rains, the flood occurred in the year 2021, the inundation has been caused due to dumping materials of the other ventures and filled the Nala as such the water is entered into Krishna Brundhavan Colony and other colonies, instead of flowing into original Nala downstream of Bandamkommu Cheruvu. The situation of inundation of water in the ventures houses is only considered by one Mr. Thankur Rajkumar Singh and made application in NGT vide No.192 of 2021 (SZ) & I.A No.140 of 2022 (SZ) wherein I am arrayed as Respondent No.9.

As per the direction of NGT, the joint inspection has been conducted by the Revenue, HMDA (Lake Protection committee), HMDA (Planning), Irrigation and Municipal officials on Dt. 01.09.2021 & 02.09.2021.

The joint inspection has been conducted by the committee in the Sy. No.315 admeasuring Ac. 1-17 Gts and the encroachment found as 0-01 Gts, towards flood Nala and 0-01 Gts towards Buffer zone of Nala on physical observations as per the latest flood data, the width of the surplus course is considered as 9.60 Mtrs. With 2.00 Mtrs, of Buffer zone applicable on either sides of as per the conditions stipulated under G.O.Ms.No.168 of MA & UD Dept., dt: 07.04.2012.

Further, I submit that the heavy floods occurred during the year 2022 from June to November and verified from the photos 1 to 4 (enclosed) when compared the rains occurred is less and less floods received during the year 2021, in which it is very clear the flood depth is only 38" (0.95 Mtrs) maximum with a width of 10 ft. (3.05 Mtrs), when the obstructions have been cleared, the filled materials by other venture constructions by other materials.

In this regard, I submit that, the obstruction of such as materials pertains to ventures and closing of Nala has been cleared and the water is freely flowing in the Nala into Bandamkommu and no inundation has been found during the recent heavy rains and no water is entered in nearby ventures houses.

Further, there are all patta lands and under-construction houses having permissions from the HMDA Hyderabad, as well as Gram Panchayat authorities, Ameenpur. Now the total area of Ameenpur village is now urbanized.

It is therefore, requested to your kind authorities to again physically verify and minimize the width of Nala as 3.00 Mtrs against the proposed width of 9.60 Mtrs and increase the depth of nala if required. That instead of width if the depth is increased it would accommodate same discharge of out flow of water and the issue will be resolved. That it would not be feasible to increase width of nala as buildings have been constructed and crores of rupees were invested along with men and machinery and the same will be put to waste. Hence, I request your kind authorities to reconsider that instead of increasing the width, the depth of the nala may be increased if required in the interest of public at large.

Yours Sincerely,

Mr.Kaila Narasimha,  
Managing Partner,  
M/s. Lalitha Constructions And Developers

Enclosures:

1. Photos 4 in Nos.

Copy submitted to:

1. District Collector, Sangareddy District for favour of kind information with a request to consider my request for public welfare.

2. Commissioner HMDA, Hyderabad for favour of kind information with a request to consider my request for public welfare.
3. Commissioner of Municipality, Ameenpur Municipality, for favour of kind information with a request to consider my request for public welfare.
4. Chief Engineer, Irrigation, Sangareddy for favour of kind information with a request to consider my request for public welfare.
5. Superintending Engineer, Irrigation Circle, Sangareddy, for favour of kind information with a request to consider my request for public welfare.
6. Executive Engineer, Lakes Division, Hyderabad for favour of kind information with a request to consider my request for public welfare.
7. Revenue Divisional Officer, Sangareddy for favour of kind information with a request to consider my request for public welfare.
8. Tahsildar, Ameenpur Mandal for favour of kind information with a request to consider my request for public welfare.

**HIGH COURT FOR THE STATE OF TELANGANA**  
**AT HYDERABAD**  
**(Special Original Jurisdiction)**  
**FRIDAY, THE TWENTY SEVENTH DAY OF JANUARY**  
**TWO THOUSAND AND TWENTY THREE**  
**PRESENT**

**THE HONOURABLE MRS JUSTICE SUREPALLI NANDA**  
**WRIT PETITION NO: 2235 OF 2023**

**Between:**

M/s Lalitha Constructions and Developers, A Partnership Firm, Rep. by its Partner, Mr. Kaila Narsimha S/o Sri Kaila Seenaiyah, Occ. Business, R/o Flat No.304, Sri Vijaya Lakshmi Residency, HUDA colony, Chandanagar, Serilingampally K.V. Ranga Reddy District, Telangana - 500050

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Irrigation and CAD Department, Secretariat, Hyderabad.
2. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy.
3. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA), Tamaka, Hyderabad,
4. The District Collector, Sanga Reddy District, Sanga Reddy.
5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Tahsildar, Ameenpur Village and Mandal, Sanga Reddy District.
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy.
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District
9. Krishna Brundhavan Association, Represented by its President K . Ramesh, S/o Narasimha Ramulu, Occ. IT employee, R/o Bandamkommu, Plot No. 52-S, Krishna Brundhavan Colony, Ameenpur, Sanga Reddy District
10. Green Villas Colony, Rep. by its president Sri. P. Prabhakar Rao, S/o Unknown R/o Plot No. 113, H. No. 5, 1001104, Ameenpur Village and Mandal, Sanga Reddy District.

**...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 an appropriate Writ or Direction or Order, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent No.2 in not considering the representation of the petitioner dt.10/12/2022, for construction of underground drain pipes along the 40 ft. road in the Krishna Brundhavan Colony by minimizing the width of Nala as 3mtrs against the proposed width of 9.60 mtrs and increasing the depth instead of width of underground drain pipes along the 40ft. road in the Krishna Brundhavan Colony to protect the environment and avoid water inundation in the monsoon season as illegal, arbitrary, violation of principles of natural justice and against settled provisions of law and consequently to direct the official respondents to construct the underground drain pipes along the 40 ft.road in the Krishna Brundhavan Colony by minimizing the width of Nala as

3 mtrs against the proposed width of 9.60 mtrs, by considering the representation of the petitioner dt. 10/12/2022:

**IA NO: 1 OF 2023**

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 official respondents to construct the underground drain pipes along the 40 ft. road in the Krishna Brundhavan Colony by minimizing the width of Nala as 3 mtrs against the proposed width of 9.60 mtrs, by considering the representation of the petitioner dt. 10/12/2022

**Counsel for the Petitioner : M/S CHANDRASEN LAW OFFICES**

**Counsel for the Respondent Nos.1,2,7 : GP FOR IRRI AND COMM AREA DEV**

**Counsel for the Respondent No.3 : SRI V NARASIMHA GOUD (SC)**

**Counsel for the Respondent No.4 to 6 : GP FOR REVENUE**

**The Court made the following:**

**HON'BLE MRS JUSTICE SUREPALLI NANDA**

**WRIT PETITION No.2235 OF 2023**

**ORDER:**

**Heard learned counsel for the petitioner, learned Government Pleader for Irrigation and Command Area Development and learned Government Pleader for Revenue.**

**2. The petitioner approached this Court seeking the relief is as follows:**

*"To issue an appropriate Writ or Direction or Order, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent No.2 in not considering the representation of the petitioner dated 10.12.2022, for construction of underground drain pipes along the 40 ft. road in the Krishna Brundhavan Colony by minimizing the width of Nala as 3 mtrs against the proposed width of 9.60 mtrs and increasing the depth instead of width of underground drain pipes along the 40 ft.road in the Krishna Brundhavan Colony to protect the environment and avoid water inundation in the monsoon season, as illegal, arbitrary, violation of principles of natural justice and against settled provisions of law and consequently to direct the official respondents to construct the underground drain pipes along the 40 ft.road in the Krishna Brundhavan Colony by minimizing the width of Nala as 3 mtrs against the proposed width of 9.60 mtrs, by considering the representation of the petitioner dated 10.12.2022."*

3. The petitioner made a detailed representation dated 10.12.2022 to the competent authority i.e. the 2<sup>nd</sup> respondent herein and also to all other official respondents herein i.e. the 1<sup>st</sup> respondent and respondents 3 to 8 as well pertaining to encroachment of Flood Water Nala from Peeda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank by Krishna Brundhavan Association and sought permission to construct an Underground Drain Pipeline for restoring the Flood Water Nalas, by conducting physical inspection/physical re-verification of flood water Nala from Peeda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank by the competent authority.

4. A bare perusal of the material documents filed along with the affidavit filed in support of the present writ petition clearly indicates that the 2<sup>nd</sup> respondent even acknowledged the representation dated 10.12.2022 of the petitioner.

5. Mr.V.Narasimha Goud, standing counsel for HMDA appearing on behalf of respondent No.3 refers to the proceedings vide letter No.EE/ID.No.1/SRD/DEE(T)/AEE1 /337, dated 21.09.2022 of the 2<sup>nd</sup> respondent herein and

submits that on an earlier occasion, the petitioner approached this Court vide W.P.No.28853 of 2022, and the High Court disposed of the same on 12.07.2022 directing 2<sup>nd</sup> respondent to consider the petitioner's representation dated 10.06.2022 and pass appropriate orders and accordingly, the 2<sup>nd</sup> respondent issued the proceedings dated 21.09.2022.

6. Learned Senior Counsel Sri B.Chandrasen Reddy draws attention of this Court to the contents of the representation dated 10.06.2022 and contends that the issue in the representation dated 10.06.2022 pertains to construction of under ground drain pipes along with 40 ft road in Krishna Brundhavan Colony to protect the environment to avoid water inundation in the monsoon season and the grievance of the petitioner as explained by the petitioner in the petitioner's latest representation dated 10.12.2022, pertained to encroachment of flood water Nala from Peeda Cheruvu Tank and Kotha Cheruvu Tank to Bandamkommu Tank by Krishna Brundhavan Association and further the request of the petitioner vide petitioner's said latest representation dated 10.12.2022 to respondents 1 to 8 herein, was to conduct physical inspection/physical re-verification of the catchment

area of Peeda Cheruvu and Bandamkommu Tank, Ameenpur, Sanga Reddy District to minimize the width of Nala as 3.00 mtrs as against the proposed width of 9.60 mtrs and increase the depth of Nala, if required.

**7. Taking into consideration the above referred facts and circumstances of the case, the writ petition is disposed of directing the respondents 1 to 8 herein to consider the petitioner's representation dated 10.12.2022 and also examine the viability of the proposals put-forth vide the said representation dated 10.12.2022 and pass appropriate orders within a period of three (03) weeks from the date of receipt of a copy of this order, duly communicating the decision to the petitioner. However, there shall be no order as to costs.**

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

**SD/-MOHD SANAULLAH ANSARI  
ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

To,

1. The Principal Secretary, Irrigation and CAD Department, Secretariat, State of Telangana, Hyderabad.
2. The Executive Engineer, Department of Irrigation and CAD, Sanga Reddy District, Sanga Reddy.

3. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA), Tarnaka, Hyderabad,
4. The District Collector, Sanga Reddy District, Sanga Reddy.
5. The Revenue Divisional Officer, Sanga Reddy Division, Sanga Reddy District, Sanga Reddy.
6. The Tahsildar, Ameenpur Village and Mandal, Sanga Reddy District.
7. The Superintendent Engineer, IB and CADD Division, Irrigation Department, Sanga Reddy District, Sanga Reddy.
8. The Commissioner, Ameenpur Municipality, Ameenpur, Sanga Reddy District
9. One CC to M/S CHANDRASEN LAW OFFICES Advocate [OPUC]
10. One CC to SRI V NARASIMHA GOUD(SC) [OPUC]
11. Two CCs to GP FOR IRRI AND COMM AREA DEV ,High Court for the State of Telangana, Hyderabad. [OUT]
12. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana, Hyderabad. [OUT]
13. Two CD Copies

**HIGH COURT**

**SNJ**

**DATED:27/01/2023**

**ORDER**

**WP.No.2235 of 2023**



**WRIT PETITION IS DISPOSED  
OF WITHOUT COSTS**

**JOINT INSPECTION REPORT OF IRRIGATION, REVENUE, HMDA AND MUNICIPAL OFFICIALS WITH REFERENCE TO THE DIRECTIONS OF HON'BLE HIGH COURT IN W.P No.2235 OF 2023 FILED BY M/S LALITHA CONSTRUCTIONS AND DEVELOPERS, HYDERABAD.**

Date of Inspection: 18-05-2023

**Sub:-** Water Bodies – Sangareddy District – W.P No.2235 of 2023 filed by M/s Lalitha Constructions & Developers, Rep. by Sri. Kaila Narsimha S/o Kaila Seenaiah Managing Partner of M/s Lalitha Constructions & Developers - Requested for Joint Inspection -Reg.

**Ref:** 1. Superintending Engineer, Irrigation Circle, Sangareddy Lr. No.SE/IC/SRD/DSE/DEE II/TS5/654 Dated:14.03.2023.  
2. District Collector, Sangareddy Lr.No.D1/1365/2021 Date:25.04.2023

\* \* \*

In pursuance to the references cited above, a joint field inspection was conducted by the following members of the committee on

- 1) Sri.S. Bala Krishna, Director Planing-1, Metropolitan Commissioner, HMDA, Hyderabad.
- 2) Sri P.Madhusudhan Reddy, Executive Engineer, Irrigation Divn No.1, Sangareddy.
- 3) Sri J.Krishna Rao, Executive Engineer (LPC) HMDA, Hyderabad.
- 4) Sri M. Nagesh, Revenue Divisional Officer, Sangareddy.
- 5) Smt. A.Sujatha, Municipal Commissioner, Ameenpur Municipality, Ameenpur.
- 6) Sri D. Ramaswamy, Dy. Executive Engineer, Irrigation Sub-Divn No.5, Patancheru.
- 7) Sri. P.Dasarath, Tahsildar, Ameenpur. Mandal
- 8) Sri. M.B.P.Prasad, Asst. Executive Engineer, Irrigation Section, Ameenpur.
- 9) Sri. C.Yadaiah, Surveyor, Ameenpur Mandal.

Before the committee's observations are unfolded, the brief facts of the case are enumerated hereunder in a concise manner for better appreciation of the conclusions of the committee.

➤ **Brief Facts of the Case:**

❖ **Writ Petition No. 2235 of 2023 in the Hon'ble High Court of Telangana**

- 1) Sri. Kaila Narsimha, Managing Partner of M/s Lalitha Constructions & Developers filed W.P. No.2235 of 2023 before the Hon'ble High Court, Telangana, Hyderabad for issuing directions to the respondents listed at SI No 1 to 8 of the WP to consider the representation of the petitioner dated:10.12.2022. The Hon'ble High Court has disposed of the writ petition directing respondents No.1 to 8 to consider the petitioner's representation and also instructed to pass appropriate orders within a period of three weeks from the date of receipt of the copy of the order duly communicating the decision to the petitioner.

- 2) The petitioner vide his representation dated 10.12.2022 requested to physically verify the Flood water Nala flowing from Peddacheru/kothacheru to Bandam kommu tank of Ameenpur (V & M) and minimize the by increasing the depth of Nala if required as the petitioner opined that it would not be feasible to increase the width of the Nala, as buildings have been constructed and crores of rupees were invested along with men and machinery which will be put to waste because of any coercive action.
- 3) In this regard the Superintending Engineer, Irrigation Circle, Sangareddy addressed a letter to the District Collector, Sangareddy vide Lr.No.SE/IC/SRD/ DSE/DEE-II/TS5/654, Dt:14.03.2023 for arranging joint inspection with all concerned.
- 4) The respondent No.1 i.e The District Collector requested vide Lr.No.D1/1365/2021,Dt:25.04.2023 directed the present team consisting of Director Planing-1, Metropolitan Commissioner, HMDA, Hyderabad, Executive Engineer, Irrigation Division No.1, Sangareddy, Revenue Divisional Officer, Sangareddy and Municipal Commissioner, Ameenpur to conduct a joint inspection to verify the viability on the suggestions put forth by the petitioner in his representation dated 10.12.2022.

The Joint inspection Team has noted all the above factual instances as narrated above and also perused the various documents referred to therein. After due consideration of the above and after conducting a field inspection of the petitioner's site, the following are the observations of the Joint Inspection Team in general.

**Observations and Recommendations of Joint Inspection Team:**

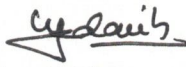
- 1) The petitioner's land in Sy Nos 276, 277, 314 & 315 of Ameenpur (V) is located on downstream of Kotha Cheru which is linked to Peddacheru of Ameenpur Village.
- 2) The Pedda Cheruvu of Ameenpur (V) is a notified tank in HMDA and under the control of the Irrigation Department for its maintenance. It is divided into two parts in the bund by a hillock. The tank bund at the left flank is called Kotha Cheruvu and at the right flank is called Peddacheruvu. Peddacheruvu and Kothacheruvu of Ameenpur (V) are twin tanks having a common FTL and the water spread area is interlinked.
- 3) Further the lakes Kotha cheru and Bandham Kommu tanks of Ameenpur village are link tanks and as such the flood water from Kotha cheru which is

located on upstream flows to Bandham Kommu cheruvu which is located on the downstream.

- 4) It is observed that the surplus water from Kotha cheruvu is traversing through the intervening area i.e.patta lands as a sheet flow and discharging into Bandham Kommu tank on downstream. It is further observed that the surplus course has no defined channel course to accommodate and align the flow discharge, except for the narrow concrete trough channel constructed by the petitioner in his land to guide the flow traversing through his land.
- 5) The present joint inspection team has opined that the surplus Nala course requires to be properly channelized as per the hydraulics in order to ensure the free flow of water without any interruption during rains.
- 6) It is also observed that Surplus flow from Kotha cheru passing through Petitioner's land in Sy No 315 of Ameenpur (V) with a part of the course abutting the boundary of the petitioner site before discharging into the Bandham Kommu tank which is existing on the downstream.
- 7) Petitioners Representation dated 10.12.2022  
The petitioner vide his representation dated 10.12.2022 requested to physically verify and minimize the width of the Surplus Nala to 3.0 Mts against the width of 9.60 Mts by increasing the depth of Nala if required, as the petitioner opined that it would not be feasible to increase the width of the Nala, as buildings have been constructed and crores of rupees were invested along with men and machinery which will be put to waste because of any coercive action.
- 8) In this regard it is to mention that earlier in compliance to the Hon'ble NGT orders in O.A No.192 of 2021 a joint inspection was conducted by a team comprising of Revenue, HMDA ( Lake Protection Committee), HMDA (Planning), Irrigation & Municipal officials on Dt:01.09.2021 & 02.09.2021 and based on the field observations has considered the width of the Flood water Nala as 9.60 mts with 2.0 m of Buffer zone applicable on either side as per the conditions stipulated in G.O Ms. No.168 Of MA & UD Dept, Dt: 07.04.2012. Further, the inspection team in their report also pointed out that, in Sy. No. 315 of Ameenpur village, M/s Lalitha Constructions has made some construction (Like Club house) in the alignment of the surplus channel & buffer zone. Further pointed out that due to obstructions created in the natural water path by dumping of soils and also due to construction activity taken up by the respondents resulted in inundation/water logging of nearby colonies.


- 9) The present joint inspection team taking note of the request of the petitioner vide his representation dated 10.12.2022, deliberated on the technical feasibility for acceptance of such aforesaid proposal with due consideration to the prevalent site conditions vis-à-vis the hydraulic design conditions which is best suited for the present site conditions duly taking into cognizance of the findings indicated in the report of the committee conducted in the light of the directions of the Hon'ble NGT in O.A No.192.
- 10) The team also took note of the concerns of the petitioner that constructions were carried out after obtaining approval from the HMDA authority.
- 11) The team, after due deliberations, taking into account all the issues as discussed above, and after taking into cognizance the rampant urbanization in the vicinity of the tanks and Nala course, felt that a defined channelized course with a permanent structure without altering the hydraulics of the system would be a better option to ensure that, in future, the course of the Nala is appropriately protected with such structure providing no scope for impinging with it by any of the entities.
- 12) The official members of Engineers in the committee technically considered the hydraulic calculations for various sections which can accommodate safely the maximum flood discharge without affecting the outflow discharge capacity from the Kotha Cheruvu tank and the inflow discharges into the BandhamKommuru Cheruvu tank. After due consideration of all the above discussed issues/facts and as per the earlier records & Memoirs, the committee's observations concluded as below:
- 13) As per the tank memoirs, Peddacheruvu of Ameenpur village is a very old tank and surpluses very rarely. Further, the discharge coefficients are not available as per Memoirs as it is Jagir restored tank. In view of the rapid urbanization with the original catchment having been intercepted significantly, non availability of discharge coefficients, the MFD as per Memoirs is not co-relatable. Further due to the rarely surplussing tank nature, it would be more appropriate to design the surplus channel from the present discharging capacity of the existing weir arrangement on the left side from Kotha Cheruvu.
- 14) It is observed that the left side surplus weir arrangement of Kotha Cheruvu has two parts i.e about 30 Mts effective length natural sheet rock surface (Bye wash) towards the right side of the bund **falling from the rocky terrain area** and 6.0 Mts length FOF weir towards the left side. The total discharging capacity from the existing surplus arrangement is worked out to 1594 cusecs or 45.0 Cumecs based on the standards of Kotha cheruvu.

- 15) The team after due consideration of the above discharge, the hydraulic calculations and the permissible velocities, existing bed fall and terrain conditions opined that 4.0 mx 2.85 m is the optimum size of the concrete channel, for a length of about 56.0 m in the petitioner land, which can accommodate safely the maximum flood discharge without causing any inundation. Thus, the Joint Inspection Team unilaterally rejects the width of 3.0m proposed by the petitioner in his representation dated 10.12.2022.
- 16) Further, the present joint inspection team opined that the petitioner has to provide necessary transition arrangements at the entry and exit points of the surplus channel to ensure smooth flow of the flood water and also the work should be carried out under the supervision of Irrigation, Revenue and other concerned Departments.
- 17) Further, the team also unanimously opines that the present observations should not be read and adopted in isolation, but should be read with all the pending court cases and approvals in this regard, so as to avoid any violation of the strictures passed by Hon'ble Court's/Statutory authorities like HMDA etc.,.

  
Mandal Surveyor  
Ameenpur Mandal.


  
Asst. Executive Engineer  
IB Section, Ameenpur.

  
Tahsildar  
Ameenpur Mandal


  
Dy. Executive Engineer  
Irrigation Sub-Division No.5,  
Patancehru.

  
Municipal Commissioner  
Ameenpur Municipality.

  
Executive Engineer  
Irrigation Division No.1  
Sangareddy. 18/05/23

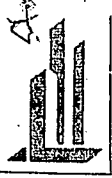
  
Executive Engineer LPC  
HMDA Hyderabad

  
Revenue Divisional Officer  
Sangareddy Division.

  
Director Planning-1  
Metropolitan Commissioner  
HMDA Hyderabad.

17 P<sub>1</sub>

6



# LALITHA CONSTRUCTIONS AND DEVELOPERS

Dt. 15.07.2023

From  
M/s Lalitha Constructions and Developers  
Rep. by its Managing Partner,  
Mr. Kaila Narsimha  
Flat no. 304, Sri Vijaya Lakshmi residency,  
Huda colony, Chandanagar,  
Serilingampally, K.V Ranga Reddy District  
Telangana - 500050.

DEE/T  
AEE-1

12/07/23

To  
The Executive Engineer, I & CADD,  
Irrigation Division No. 1,  
Sanga Reddy District.

Sir,

Sub: Request for permission and issuance of NOC.

- Ref: 1) Our letter dt. 10.12.2023;  
2) Order in Writ Petition No. 2235 of 2023 dt. 27.01.2023;  
3) Your letter dt. 14.07.2023;

\*\*\*\*\*

With reference to the 3<sup>rd</sup> cited, we are agreeing for the proposed width reduction from 9.60 mtrs to 4.0 mtrs which is in the form of clarification, though we asked to reduce the width to 3.0 mtrs.

We therefore request you to kindly grant permission for the construction of nala/passage of 4.0 mtrs and also issue NOC to enable us to file before the concerned department, more specifically the HMDA Department for issuance of Occupancy Certificate.

We also undertake to withdraw the pending writ petitions before the Hon'ble High Court at Hyderabad after your authority issues the NOC in respect of the land admeasuring 2.18 Acre in Sy.no. 276/B,277,314/A2,314/A3,314/A4,314/C1,314/C1/2,314/C1/3,314/C1/4,314/C2 and 315 situated at Ameenpur Village & Mandal, Sangareddy Reddy District, Telangana and also take steps to file the same before the Hon'ble Green Tribunal for disposal.

Awaiting your early response.

Thanking you,

Yours faithfully

M/S LALITHA CONSTRUCTIONS AND DEVELOPERS  
Rep. by Managing Partner, Mr. Kaila Narsimha

For LALITHA CONSTRUCTIONS AND DEVELOPERS

కైలా నర్సింహ

Lalitha Divine County,  
Green Villas, Road no.3,  
Ameenpur, Telangana, Hyd- 502032.

✉ lcdbusiness08@gmail.com

PART R91 984 867 1678  
+91 988 587 7770

www.lalithaconstructionsanddevelopers.com

**Item No.8:-****BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI***Monday, the 31<sup>st</sup> day of July 2023.**(Through Video Conference)***Original Application No. 192 of 2021 (SZ)**

IN THE MATTER OF

**1) Human Rights & Consumer Protection Cell Trust**

Reg. No.1/IV/2014

Rep. by its Chairman

Thakur Rajkumar Singh

S/o. Late Sri. T. Deen Dayal Singh

Aged about 50 years, Occupation - Chairman - HRCPC Trust

BHEL MIG 982, Serilingampally, Hyderabad - 502 032.

**2) Krishna Brundhavan Association**

Reg. No.168 of 2020

Rep. by its President

K. Ramesh S/o. Narasimha Ramulu

Aged about 37 years, Occupation: IT Employee

R/o. Bandamkommu, Plot No.52-S,

Krishna Brundhavan Colony, Bandamkommu,

Ameenpur - 502 032, Sangareddy District,

Telangana State.

...Applicant(s)

*With***1) The State of Telangana**

Rep. by its Chief Secretary

Telangana Secretariat,

Hyderabad - 500 063.

**2) The Commissioner & Director**

Municipal Administration &amp; Urban Development

4<sup>th</sup> & 5<sup>th</sup> Floor, 640 A.C. Guards, Lakdikapul,

Hyderabad - 500 038, Telangana State.

**3) The Metropolitan Commissioner**

Hyderabad Metropolitan Development Authority

Swarna Jayanthi Complex, Sajeev Reddy Nagar Road,

Srinivasa Nagar, Ameerpet, Hyderabad - 500 038.

**4) Lake Protection Committee**

(G.O. Ms.No.157- MAUD, Dt.06.04.2010)

Rep. by its Member Convenor : Member Environment

6-3-1-2/1, Tank Bund Road, Hussain Sagar,

Opp.: LIC Division Post, Hyderabad - 500 029.

- 5) **The District Collector – Sangareddy District**  
District Collectorate, Sangareddy – 502 001  
Medak District, Telangana.
- 6) **The Executive Engineer & District Irrigation Officer**  
Sangareddy District,  
4-7-24/3, Sangareddy Bypass Road, Revenue Colony,  
Balaji Nagar, Sangareddy – 502 001.
- 7) **The Commissioner – Ameenpur Municipality**  
Ameenpur Road, Ameenpur Village – 502 032  
Sangareddy District, Telangana.
- 8) **The Tahsildar – Ameenpur Mandal**  
Near Government High School  
Beeramguda, Ameenpur Village,  
Sangareddy – 502 032, Telangana.
- 9) **M/s. Lalitha Constructions**  
Proprietor Sri. Kaila Narsimha  
Plot No.143, Sri Vijaya Lakshmi Residency,  
Nallagandla, Lingampally, Ranga Reddy District,  
Telangana – 500 050.
- 10) **Sri. Vemulamada Kumara Swamy**  
S/o. Sri. Vemulamada Chiranjeeva Roa,  
Aged about 51 years, Occupation : Real Estate & Developer  
R/o. H.No.5-1786, Gokul Plots, Near 9<sup>th</sup> Phase,  
KPHB Colony, Kukatapally, Hyderabad – 500 072  
Telangana.
- 11) **Gunateja Infrastructure Private Limited**  
Director Sri Gali Anil Kumar  
S/o. Gali Shankar,  
H.No.3-61, Ameenpur Municipality & Mandal,  
Sangareddy District, Telangana State – 502 302.

*[Impleaded as Respondent No.11 as per  
Order dt.09.03.2023 in I.A. No.140 of 2022 (SZ)]*

...Respondent(s)

**For Applicant(s):** Mr. Thakur Rajkumar Singh  
(1<sup>st</sup> Applicant – Party in Person)

**For Respondent(s):** Mrs. Renukadevi represented  
Mrs. H. Yasmeen Ali for R1, R2 & R5 to R8.  
Ms. J. Dayana represented  
Mr. T. Sai Krishnan for R3 & R4.  
Mr. Surya Teja Nalla represented  
Mr. Srinath Sridevan, Mr. T.K. Bhaskar,  
Mr. K. Harishkumar for R9.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

**ORDER**

1. As observed in our earlier order dated 04.07.2023, the Hyderabad Metropolitan Development Authority (HMDA) which granted the planning permission had issued a notice keeping the same in abeyance in view of the encroachments done by the Project Proponent over a Nalah. The said notice is under challenge before the Hon'ble High Court of Telangana in **Writ Petition No.25256 of 2021**, in which, the applicant herein is also made a party.
2. The question to be decided is whether the technical approval given to the Project Proponent is to be quashed in view of the constructions made in the FTL/buffer zone of the Nalah.
3. As the same subject is subjudice before the Hon'ble High Court of Telangana in the above referred writ petition and the applicant is also a party to the same, there is nothing to be decided at this point in this original application.
4. Hence, the application [O.A. No.192 of 2021 (SZ)] is closed and it is open to the applicant to get appropriate orders from the Hon'ble High Court of Telangana.

Sd/-

**Smt. Justice Pushpa Sathyanarayana, JM**

Sd/-

**Dr. Satyagopal Korlapati, EM**

**O. A. No.192/2021 (SZ)  
31<sup>st</sup> July, 2023. Mn.**

**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

WEDNESDAY, THE FOURTH DAY OF OCTOBER TWO THOUSAND AND  
TWENTY THREE

:PRESENT:  
**THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY**

**WRIT PETITION NO: 27404 OF 2023**

**Between:**

✓ M/s Lalitha Constructions and Developers, A Partnership Firm, Rep. by its Partner, Mr. Kaila Narsimha S/o Sri Kaila Seenaiyah, Occ. Business, R/o Flat No. 304, Sri Vijaya Lakshmi Residency, HUDA colony, Chandanagar, Serilingamapally K.V. Ranga Reddy District, Telangana - 500050

✓ **Petitioner**

**AND**

- ✓ 1. The State of Telangana, Rep. by its Principal Secretary, Irrigation and CAD Department, Secretariat, Hyderabad.
2. The Chief Engineer, Irrigation Circle, Sangareddy.
3. The Superintending Engineer, Irrigation Circle, Sangareddy.
4. The Executive Engineer, Irrigation Divn No.1, Sangareddy.
5. The Deputy Executive Engineer, Irrigation Sub Division No.5 Patancheru.
6. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad.
7. The Tahsildar, Ameenpur Village and Mandel, Sanga Reddy District. ✓

**Respondents**

✓ WHEREAS the Petitioner above named through its Advocate M/s CHANDRASEN LAW OFFICES presented this 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 an appropriate Writ or Direction or Order, more particularly one in the nature of Writ of Mandamus. declaring the action of the respondent No.2 to 5 in not granting irrigation No Objection Certificate pursuant to report Lr.No.EE/1.D No.1/SRD/DB/DEE(T)/AEE1/837 dt.14/07/2023 issued by Respondent No. 4 as illegal, arbitrary, violation of principles of natural justice and against settled provisions of law and consequently direct the respondent No.2 to 5 to grant irrigation No Objection Certificate forthwith; ✓

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri CHANDRASEN LAW OFFICES Advocate for the Petitioner and Asst. GP for Irrigation who took notice on behalf of the RespondentNos.1 to 5 and Sri V. Narsimha Goud, SC who took notice on behalf of the Respondent No.6 and Asst. GP for Revenue, who took notice on behalf of the Respondent No.7, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

- ✓ 1. The Principal Secretary, Irrigation and CAD Department, State of Telangana, Secretariat, Hyderabad.
2. The Chief Engineer, Irrigation Circle, Sangareddy.
3. The Superintending Engineer, Irrigation Circle, Sangareddy.
4. The Executive Engineer, Irrigation Divn No.1, Sangareddy.
5. The Deputy Executive Engineer, Irrigation Sub Division No.5 Patancheru.
6. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad.
7. The Tahsildar, Ameenpur Village and Mandal, Sanga Reddy District. ✓

are directed to show cause on or before 01-11-2023 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 1 OF 2023**

✓ 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 respondent No.2 to 5 to grant irrigation No Objection Certificate and pass such other orders or reliefs as this Honourable Court deems fit and proper in the interests of justice, pending disposal of WP No. 27404 of 2023, on the file of the High Court. ✓

**The Court made the following:  
ORDER:**

**Notice before admission.**

Learned Assistant Government Pleader for Irrigation takes notice for respondent Nos.1 to 5 and seeks time to file counter affidavit. Sri V.Narsimha Goud, learned Standing Counsel takes notice for respondent No.6 and seeks time to get instructions. Learned Assistant Government Pleader for Revenue takes notice for respondent No.7. ✓

The petitioner is a partnership firm engaged in the business of construction and development. The petitioner also owns land admeasuring Ac.0.10 guntas in Sy.No.276/AA and Ac.0.34 guntas in Sy.No.315 total admeasuring Ac.1.04 guntas situated at Ameenpur Village and Mandal, Sangareddy District, having purchased the same through registered sale deeds bearing document Nos.21139 of 2020, dated 14.08.2020 and 22101 of 2020 dated 02.07.2010. It is the further case of the petitioner that a building permission was granted by respondent No.6 and as per the plan of the village a Nala was in existence and the was passing through the subject survey numbers of the writ petition. It is the further case of the petitioner that a representation has been submitted by the petitioner seeking for reduction of the width of the Nala and when the respondent authorities have not considered the same, the petitioner was constrained to approach this Court by filing a Writ Petition *vide* W.P.No.2235 of 2023. By an order, dated, 27.01.2023, this Court

disposed of the said writ petition directing respondent Nos.1 to 8 therein to consider the representation of the petitioner, dated 10.12.2022 and also examine the claim of the petitioner. In compliance of the directions issued by this Court in W.P.No.2235 of 2023, a Team of Officers from various departments, have conducted joint inspection of the said Nala and the width of the Nala was reduced from 9.6 meters to 3.0 meters.

The grievance of the petitioner is that even after receiving the joint inspection report the respondents have not issued 'no objection certificate' to enable the petitioner to obtain clearance certificates from respondent No.6 and other departments. The petitioner has submitted a detailed representation, dated 15.07.2023 before respondent No.4, seeking issuance of no objection certificate.

In the said circumstances and since a Team of Officers have already conducted inspection and submitted a report for reducing the width of the Nala, respondent No.4 is directed to examine the representation, dated 15.07.2023 submitted by the petitioner and pass necessary orders, in accordance with law, within a period of two (02) weeks from the date of receipt of a copy of this order.

List on 01.11.2023.

//TRUE COPY//

SD/- MOHD. ISMAIL  
ASSISTANT REGISTRAR

SECTION OFFICER

To, ✓

1. The Principal Secretary, Irrigation and CAD Department, State of Telangana, Secretariat, Hyderabad.
2. The Chief Engineer, Irrigation Circle, Sangareddy.
3. The Superintending Engineer, Irrigation Circle, Sangareddy.
4. The Executive Engineer, Irrigation Divn No.1, Sangareddy.
5. The Deputy Executive Engineer, Irrigation Sub Division No.5 Patancheru.
6. The Commissioner, Hyderabad Metropolitan Development Authority (HMDA) Tarnaka, Hyderabad.
7. The Tahsildar, Ameenpur Village and Mandal, Sanga Reddy District. (1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to M/s. CHANDRASEN LAW OFFICES Advocate [OPUC]
9. Two CCs to GP FOR IRRI AND COMM AREA DEV, High Court at Hyderabad. [OUT]
10. Two CCs to GP FOR Revenue, High Court at Hyderabad. [OUT]
11. One spare copy ✓

HIGH COURT

CVBR,J

DATED:04/10/2023

LIST ON 01-11-2023

NOTICE BEFORE ADMISSION

WP.No.27404 of 2023

DIRECTION



**GOVERNMENT OF TELANGANA  
IRRIGATION & CAD DEPARTMENT**

From:

Sri.A.Muralidhar, B.E, FIE,C.Engg (I),  
Superintending Engineer,  
Irrigation Circle, Sangareddy

✓To:

M/s. Lalitha constructions and developers,  
Lalitha Divine County,  
Green Villas, Road No.3, Ameenpur,  
Telangana, Hyderabad -502302.

sangareddy@gmail.com

Letter No. SE/IC/SRD/ DSE/DEE1/TS4/ 580

Date: 11 -03-2024

Gentleman,

Sub: I & CADD - Sangareddy District - Issue of clarification with regard to water body in Sy Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 to the balance extent of Ac 2-14.25 Gts situated at Ameenpur (V), Ameenpur (M), Sangareddy District - Request to furnish Notarized undertaking covering conditions enclosed on Rs.100 /- Non Judicial stamp paper to issue permission -Reg.

- Ref: 1. 1. Representation of Human Rights & Consumer Protection cell Trust Dt: 22.07.2021
2. GA (V&E) Department U.O Note No.890/V&E/D1/2021 Dt: 10.08.2021
3. Govt Memo No.5317/Vigilance-II/2021-1 Dt: 17.08.2021.
4. ENC(G) Lr.No. ENC(General)/P&M/SE/DCE/DEE.3/AEE.5/8902 Dt: 23.08.2021 communicated vide T.O Endt. No. CE(I)/SRD/ DCE/ DEE1/AEE1/V&E/1029,Dt:27.08.2021.
5. OA No.192 of 2021 filed by Human Rights & Consumer Protection Cell Trust on Dt.27.08.2021
6. Findings/Reports of the Joint Committee Dt.27.08.2021 constituted in pursuance of orders of Hon'ble NGT in OA No.192 of 2021 (Annexure – II).
7. Joint Inspection Report of the Revenue, HMDA, Irrigation and Municipal officials Dt: 01.09.2021 & 02.09.2021 (Annexure – I).
8. Proceedings of the Joint Committee appointed by Hon'ble NGT in OA No.192 of 2021 vide Proc. No. D1/1365/2021 Dt: 17.09.2021
9. Govt.Memo No.6253/WRG-GRC/2021-1, Dt.23.09.2021.
10. E-In-C (G) Lr.No. ENC(G), SE(P&M)/DCE -KB/OT6/AEE-22/ 6253/ 2021, Dt.24.09.2021.
11. Tahasildar Lr.No.B/1273/2021,Dt.25.09.2021 addressed to M/s Lalitha Constructions
12. WP No.25256 of 2021 order Dt.05.10.2021 filed by M/s Lalitha Constructions
13. WP No.25246 of 2021 order Dt.05.10.2021 filed by M/s Lalitha Constructions
14. CE(I)/Hyd Lr.No.DCE/OT1/AEE3/Kotha Cheruvu lake to Bandamkommu lake/1037, Dt.22.10.2021.
15. ENC(G) Lr.No. ENC(General)/P&M/SE/DCE/DEE.3/AEE.5/8902/R1 Dt: 30.10.2021 communicated vide T.O Endt. No. CE(I)/SRD/ DCE/ DEE1/AEE1/1397 Dt: 02.11.2021.
16. E-In-C (G) Lr.No. ENC(G)/ SE(P&M)/DCE -KB/OT6/AEE-18/6253/ 2021/ 1, Dt.21.05.2022 communicated vide T.O Endt. No. CE(I)/SRD/ DCE/ DEE1/ AEE1/275, Dt.23-05-2022.
17. ENC (G) Lr. No. ENC (G)/CE/SE (CADA)/EE/DEE4/AEE2/V&E/R2/312 Dt: 01.06.2022.
18. CE(I),SRD Memo No. CE(I)/SRD/DCE/ DEE1 /AEE1/397, Dt:08.06.2022.
19. Representation of M/s Lalitha constructions and Developers Dt.10.06.2022 addressed to the EE/ID No.1/SRD
20. CE(I)/SRD Memo No. CE(I)/SRD/DCE/ DEE1 /AEE1/520, Dt:22.06.2022.
21. WP No.28853 of 2022 order Dt.12.07.2022 filed by M/s Lalitha Constructions
22. T.O Lr.No.SE/IC/SRD/DSE/DEE(T)-2/TS2/833, Dt.14-11-2022.
23. CE(I),SRD Lr.No.CE/IRR/SRD/DCE/DEE1/AEE1/1433,Dt.22-11-2022 addressed to ENC(G)
24. E-In-C (G) Lr.No. ENC(G)/CE/SE(P&M)/DCE(MI)/DEE3 /AEE1/OA No.192/ 2021, Dt.03.12.2022 communicated vide T.O Endt.No. CE(I)/ SRD/ DCE/DEE1/AEE1/OA No.192/1556, Dt.08-12-2022.

25. Representation of M/s Lalitha constructions and Developers Dt.10.12.2022 addressed to the EE/ID No.1/SRD
26. WP No.2235 of 2023 order Dt.27.01.2023 filed by M/s Lalitha constructions and Developers
27. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/754, Dt:21.02.2023.
28. Govt. Memo No.1512/MI/A2/2023-1, Dt.02-03-2023 communicated vide E-In-C (Gen) Lr. No. ENC(G)/SE(P&M)/DCE(KB)/DEE 6/AEE 18/W.P.No.2235, Dt.03-03-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/ AEE1/ WP No.2235 of 2023/2129, Dt.04.03.2023.
29. T.O Lr.No.SE/IC/SRD/DSE/DEE II/TS5/654 Dt:14.03.2023 addressed to the District Collector, Sangareddy.
30. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/278, Dt.28-03-2023.
31. District Collector/Sangareddy Lr. No. D1/1365/2021, Dt.25.04.2023 addressed to the Director planning, EE/ID NO.1/SRD, RDO/SRD, Municipal commissioner, Ameenpur
32. CE (I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/V&E/131, Dt:28.04.2023.
33. Joint Inspection Report of Irrigation, Revenue, HMDA and Municipal officials with reference to the Directions of Hon'ble Hig court in W.P No.2235 of 203 filed by Lalitha Constructions and Developers, Hyderabad Dt:18.05.2023.
34. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/207, Dt:10.07.2023.
35. T.O Lr.No.SE/IC/SRD/DSE/DEE II/TS5/1757 Dt:13.07.2023 addressed to the District Collector, Sangareddy.
36. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/837, Dt:14.07.2023.
37. Joint Inspection Report of the Irrigation and Revenue officials Dt: 24.07.2023.
38. OA No 192 of 2021 Hon'ble NGT order Dt.31.07.2023 (Annexure – III)
39. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/584, Dt.05-08-2023 submitted the proposal based on the Application of Lalitha Constructions and developers Rep by its Managing Partner Sri Kaila Narasimha addressed to the Executive Engineer, Irrigation Division No.1, Sangareddy Dt :15.07.2023 and EE/ID No.1/SRD Lrs Dt.08.03.2023, 14.07.2023 and 01.08.2023
40. Representation of Bassetty Krishna Dt.10.08.2023 to the Spl. Chief Secretary
41. E-In-C (Gen) Lr.No.ENC(G)/CE/SE(P&M)/DCE(MI)/DEE 3/AEE 1/Sy.No.353 Ameenpur, Dt.16-08-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/ AEE1/ Sy.No.353 Ameenpur/791, Dt.17.08.2023.
42. Legal Notice Dt.14.08.2023 from Sri Narsingoju Vishal, Advocate
43. CE (I),SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/795, Dt.17.08.2023.
44. CE (I),SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/794, Dt.17.08.2023.
45. Govt. Memo No.5842/WRG-GRC/A2/2023, Dt.18.08.2023.
46. E-In-C (Gen) Lr.No. ENC(G)/CE/SE(P&M)/DCE(MI)/DEE 3/AEE 1/Sy.No.353 Ameenpur, Dt.22-08-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/ AEE1/Sy.No.353/ 907, Dt.30.08.2023.
47. T.O Memo No. CE(I)/SRD/DCE/DEE1/AEE1/878,Dt.24.08.2023.
48. Application of Bassetty Krishna & 3 others Dt.24.08.2023 addressed to the CE(I)/SRD for clearance of NOC for Sy.No.354 in Ameenpur (V&M)
49. Application of Bassetty Krishna & 3 others Dt.24.08.2023 addressed to the CE(I)/SRD for clearance of NOC for Sy.No.353 in Ameenpur (V&M)
50. CE(I)/SRD Lr.No. CE/IRR/SRD/DCE/DEE1/AEE1/892, Dt.28.08.2023 addressed to HMDA
51. CE(I)/SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/918, Dt.01.09.2023.
52. CE(I)/SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/917, Dt.01.09.2023.
53. HMDA Lr.No.01/Gen/HMDA/LPC/2023, Dt.04.09.2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/AEE1/HMDA/275, Dt.04.11.2023
54. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/350, Dt:12.09.2023.
55. T.O Memo.No.SE/IC/SRD/DSE/DEE1/TS4/2406, Dt.15-09-2023.
56. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/712, Dt.19-09-2023.
57. District Collector/Sangareddy Lr.No. D1/1365/2021, Dt.22.09.2023 addressed to SE/IC/ SRD copy to EE/SRD and CE/SRD
58. E-In-C (G) Lr.No. ENC(G)/CE/SE(P&M)/DCE(MI)/DEE3/AEE1/OA No.192, Dt.27.09.2023 communicated vide T.O Endt.No. CE(I)/SRD/DCE/DEE1/ AEE1/OA No.192/1122, Dt.04-10-2023.
59. T.O Lr.No.SE/IC/SRD/DSE/DEE(T)-2/TS2/809, Dt.13-10-2023.
60. Govt. Memo No. 7577/WRG.GRC/A2/2023, Dt.26-10-2023 duly communicating Show cause notice before admission for WP No.27404 of 2023 filed by M/s

- 81
- Lalitha constructions and Developers order Dt.04.10.2023 communicated vide E-In-C (Gen) Lr.No. ENC(G)/SE(P&M)/ DCE - KB/DEE 6/AEE 18/WP No.27404/2023, Dt.28-10-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/AEE1/WP No.27404 of 2023/1250, Dt.30.10.2023.
61. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/869, Dt.07-11-2023.
  62. CE(I)/SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/ WP No.27404 of 2023/1292, Dt.07.11.2023.
  63. CE(I)/SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/V&E/1432, Dt:05.12.2023.
  64. CE(I)/SRD Lr. No. CE/IRR/SRD/DCE/DEE1/AEE1/1491, Dt.14-12-2023 addressed to ENC(G)
  65. Legal Notice of M/s Chandrasen Law Offices Dt.18.12.2023.
  66. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/979, Dt.19-12-2023.
  67. T.O Memo.No.SE/IC/SRD/DSE/DEE1/TS4/3119, Dt.20-12-2023.
  68. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/3121, Dt.20-12-2023.
  69. CE(I), SRD Memo No.CE(I)/SRD/DCE/DEE1/AEE1/ WP No.27404 of 2023/1524, Dt.21.12.2023.
  70. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/989, Dt.27-12-2023 communicated EE/ID No.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/559, Dt.23.12.2023 addressed to Sri Kaila Narsimha
  71. Legal Notice of M/s Chandrasen Law Offices Dt.02.01.2024.
  72. E-In-C (G) Lr.No. ENC(G)/DENC/DCE(MI)/DEE3/AEE1/OA No.192 of 2021, Dt.06.01.2024.
  73. CE(I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/ WP No.27404 of 2023/1575, Dt.08.01.2024.
  74. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/26, Dt.11-01-2024.
  75. CE(I), SRD Lr. No.CE(I)/SRD/DCE/DEE1/AEE1/1599,Dt.12.01.2024 addressed to the CE/CDO
  76. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/32, Dt.12-01-2024.
  77. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/46, Dt.18-01-2024.
  78. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/44, Dt.18-01-2024.
  79. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/43, Dt.18-01-2024.
  80. CE(I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/WP No.27404 of 2023/1622, Dt.20.01.2024.
  81. CE(I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/1621, Dt.20.01.2024.
  82. CE/CDOLr.No.CE/CDO/SE-3/EE-5/DEE-1/Irrg/SRD/01/2024/02/2024,Dt.23.01.2024
  83. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/78,Dt:02.02.2024.
  84. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/128,Dt.05-02-2024.
  85. T.O Lr.No.SE/IC/SRD/DSE/DEE(T)-2/TS2/129, Dt.05-02-2024.
  86. Representation of Bashetty Krishna Dt.06.02.2024 addressed to the Spcl. Chief Secretary to drop allegation representation
  87. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/146, Dt.08-02-2024.
  88. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/155, Dt.10-02-2024.
  89. CE(I), SRD Lr. No. CE(I)/SRD/DCE/DEE1/AEE1/,1821, Dt.22.02.2024. (V&E report to ENC(G)
  90. CE(I), SRD Lr.No.CE(I)/SRD/DCE/DEE1/AEE1/,1819,Dt.22.02.2024.(OA No.192 of 2021 to ENC(G)
  91. CE(I), SRD Lr. No. CE(I)/SRD/DCE/DEE1/AEE1/,1820, Dt.22.02.2024. (Bashetty Krishna)
  92. T.O Lr.No.SE/IC/SRD/DSE/DEE II/TS5/198 Dt:23.02.2024
  93. CE(I), SRD Lr. No. CE(I)/SRD/DCE/DEE1/AEE1/,1830, Dt.24.02.2024 (WP No 2235 of 2023)
  94. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/146, Dt:08-02-2024.
  95. CE(I), SRD Memo No.CE(I)/SRD/DCE/DEE1/AEE1/NOC/1878, Dtd: 04.03.2024.
  96. T.O Memo.No.SE/IC/SRD/DSE/DEE 1/TS4/1550 Dt.06.03.2024.
  97. EE/ID/SRD Lr.No. EE/ID No.1/SRD/DB/DEE(T)/AEE1/164 Dt: 07.03.2024.

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It is to submit that the Chief Engineer, Irrigation, Sangareddy vide reference 95<sup>th</sup> cited has given permission to issue Necessary Clarification to the applicant M/s. Lalitha Constructions and Developers Dt: 04.03.2024 for the balance extent of land Ac 02-14.25 Gts in Sy.Nos 276/B, 277,

314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District with details shown in the table below, subject to certain terms and conditions as mentioned in the reference 95<sup>th</sup> cited.

**Table-A**

| SI. No.      | SY.NO    | The total extent of land (Ac-Gts) | Applicant Land extent (Ac - Gts) | Applicant Land Extent affected under surplus course/Nala (4.0 Mts) (Ac - Gts) | Applicant Land Extent affected under surplus course/Nala buffer (2.0 Mts) (Ac - Gts) | Applicant Balance land Extent (Ac - Gts) |
|--------------|----------|-----------------------------------|----------------------------------|---|--|--|
| 1            | 276/B    | 02-03                             | 00-10                            | NIL   | NIL  | 00-10                                    |
| 2            | 277      | 02-11                             | 00-04                            | NIL   | NIL  | 00-04                                    |
| 3            | 314/A2   | 01-05<br>(Sy No 314)              | 00-04                            | NIL   | NIL  | 00-04                                    |
| 4            | 314/A3   |                                   | 00.04                            | NIL   | NIL  | 00.04                                    |
| 5            | 314/A4   |                                   | 00.04                            | NIL   | NIL  | 00.04                                    |
| 6            | 314/C1/1 |                                   | 00.03.25                         | NIL   | NIL  | 00.03.25                                 |
| 7            | 314/C1/2 |                                   | 00.03.25                         | NIL   | NIL  | 00.03.25                                 |
| 8            | 314/C1/3 |                                   | 00.00.25                         | NIL   | NIL  | 00.00.25                                 |
| 9            | 314/C1/4 |                                   | 00.00.25                         | NIL   | NIL  | 00.00.25                                 |
| 10           | 314/C2   |                                   | 00.08                            | NIL   | NIL  | 00.08                                    |
| 11           | 315      | 01-17                             | 01-17                            | 00-02.0   | 00-01.75   | 01-13.25                                 |
| <b>Total</b> |          | <b>06-36</b>                      | <b>02-18</b>                     | <b>00.02.0</b>  | <b>00.01.75</b>  | <b>02-14.25</b>                          |

The permission has been accorded by Chief Engineer, Irrigation, Sangareddy vide reference 95<sup>th</sup> cited subject to the following terms and conditions.

- 1) The permission to issue clarification is accorded based on the field report of Executive Engineer and it is requested to ascertain ground realities before issue of clarification.
- 2) There should not be any kind of construction in FTL/MFL/Bund and buffer zone area which is clearly demarcated in the revenue sketch map submitted by the Mandal Surveyor and Tahsildar, Ameenpur mandal, Sangareddy District.
- 3) The natural flow in the catchment area through the applicant land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, should not be obstructed or diverted or utilized for any purpose and open drain should be constructed to required size with sufficient vents are to be provided to allow the rain water enter freely into the tank/vagu/Nala.
- 4) There should not be any kind of dumping (or) throwing of Garbage (or) any kind of material into the tank/Nala/Channel.
- 5) Any kind of sewerage (or) any kind of effluents should not be allowed to let into the tank/Vagu/ Nala/Channel.
- 6) No construction is allowed in FTL/MFL area and Buffer zone areas. Further buffer zone area has to be left for Greenery only.
- 7) The department officials or Government representatives will have the right to inspect the free natural flow through the applicant land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, and there should not be any restrictions or obstruction for their entry for inspection.

- 8) Any objection by the higher authorities of Irrigation department /or any other Government department conversion of land to residential/commercial use zone of above applicants land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, is liable for cancellation of permission without any prior notice and no compensation or reimbursement of cost maintenance due to above permission will be paid by the government Department for any reasons what so ever.
- 9) The Construction/layout in applicant land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, should be carried as per the terms & conditions stipulated in GO Ms No. 168 of MA & UD Dept, Dt: 07.04.2012 and G.O Ms.No.7 of MA & UD Dept, Dt: 05.01.2016 and related G.O's issued from time to time and as per the Chief Engineer, I & CAD, Hyderabad guidelines, circulars issued time to time and that should be followed scrupulously without fail.
- 10) The status of channels/surplus course shall be maintained as per the original standards and should not be disturbed.
- 11) Same Inlet and Outlet points of stream shall be maintained.
- 12) Earlier directions/Instructions of HMDA if any, on this Sy.Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 & adjacent Sy.Nos shall be strictly followed and any deviations to the above, applicant will be personally held responsible for legal complications and any other complication.
- 13) This Clarification issued on water bodies only based on the recommendation of the Revenue and Irrigation authorities and this clarification will not confirm any right of ownership on the subject property.
- 14) The Executive Engineer is instructed to ensure joint inspection before and after establishment of the real estate venture to ensure that all rules have compiled with as per the instructions of Engineer - In - Chief (General) Letter No. ENC (G)/SE(P&M)/ DCE(KB)/ OT4/AE9/VR No.107, Dt: 25.10.2023.
- 15) The SE/IC/SRD vide Lr.No.SE/IC/SRD/DSE/DEE1/TS4/128, Dt.05-02-2024 has submitted that there is no financial implication due to construction of drain as the construction cost of the CC drain will be borne by the petitioner. The applicant shall bear the cost of proposed construction of the CC drain under the supervision of I&CAD Dept. officials and the SE/IC/SRD shall ensure the same.
- 16) This clarification is issued subject to outcome of the WP 25246 of 2021 and WP 25256 of 2021 in the Hon'ble High Court of Telangana and NGT or any other Hon'ble Court cases and also orders issued if any by the Government in this regard etc., and the cost of modifications if any proposed/required shall be borne by the applicant.
- 17) As per the instructions of the District Collector, the team comprising officials drawn from Revenue, HMDA (Lake Protection Committee), HMDA (Planning), Irrigation & Municipal Departments have conducted a joint inspection of the inlet and outlet Nalas of the Kothacheru and BandhamKomm tanks of Ameenpur Village on 01.09.2021 & 02.09.2021 and marked the flood water stream. The SE/IC/SRD and EE/ID No.1/SRD shall ensure that the alignment of nala now proposed is same as above.
- 18) The SE/IC/SRD vide Lr.No.SE/IC/SRD/DSE/DEE1/TS4/146, Dt.08-02-2024 has stated that the joint inspection team opined that the surplus Nala course requires to be properly channelized as per the hydraulics in order to ensure the free flow of water without any interruption during rains. The SE/IC/SRD and EE/ID No.1/SRD shall ensure the same.
- 19) The Committee constituted by the Hon'ble NGT, Chennai, comprising of the District Collector, Sangareddy, Superintending Engineer, Irrigation, Sangareddy and Director-1, Planning, HMDA, Hyderabad (representative of Metropolitan Commissioner HMDA directed the Irrigation and Revenue Departments as well as the Ameenpur Municipality to remove the encroachments in the Water Pathways of the Kothacheruvu and Bandamkomm Water Bodies as per the boundaries fixed in respect of the subject water bodies by the Irrigation Department duly as per rules in vogue. The Superintending Engineer/Executive Engineer, Sangareddy shall ensure the same.

20) In the clarification proposal submitted by the SE/IC/SRD vide Lr.No.SE/IC/SRD/DSE/DEE1/ TS4/ 146, Dt.08-02-2024 it is reported that the Joint inspection team has not discussed about the stream on the north side of the applicant's land which is shown in the irrigation map superimposed in the revenue map and not proposed any deductions towards the same and finally requested to issue clarification. Hence SE/IC/SRD is requested to ensure the same before issuing clarification.

Vide reference 96<sup>th</sup> cited, this office has requested the Executive Engineer to submit the reply on the point (20) raised by the Chief Engineer (I), Sangareddy for further processing the file. The Executive Engineer vide LR.No. EE/ID No.1/SRD/DB/DEE(T)/AEE1/164 Dt: 07.03.2024 has submitted a reply to the above memo and reported that **"the stream indicated in the revenue map on the north side of the applicant land is field channel and physically there are no traces of the said channel noticed on the ground and the area in and around the subject site is urbanized. Hence no deductions are made for the same as per the ground conditions"**

- 21) The Concerned Deputy Executive Engineer & Assistant Executive Engineer will be held responsible if any constructions are noticed later stage in the FTL/MFL/Buffer zone area.
- 22) The Executive Engineer, Irrigation division No.1, Sangareddy shall ensure that the extent of deductions towards MFL/FTL/Buffer etc., are as per norms/Gos etc. in force and responsible for the same.
- 23) The Executive Engineer, Irrigation division No.1, Sangareddy is requested to make proper necessary drainage arrangements as per site conditions to ensure free flow of catchment water without any interruption, it is instructed to ensure the same in such a way that it will not affect the nala course at the entry and exit from the applicant's land and also without effecting the adjacent lands duly following the Irrigation standards and procedures in vogue.
- 24) The Executive Engineer, Irrigation division No.1, Sangareddy Irrigation division No.1, Sangareddy shall ensure that there are no other water bodies apart from the above mentioned affecting the applicant's land.
- 25) This clarification is issued as per the clarification communicated by HMDA lakes division vide Lr.No.01/Gen/HMDA/LPC/2023, Dt.04.09.2023 regarding the issuance of NOC for the Sy.Nos where there are existing buildings/structures stating that G.O 168 shall be followed while issuing NOC for the existing and proposed permissions.
- 26) The Executive Engineer, Irrigation division No.1, Sangareddy Irrigation division No.1, Sangareddy shall ensure that there are no encroachments in the proposed MFL & Buffer zone of nala.
- 27) The SE/IC/SRD and EE/ID No.1/SRD are responsible for the section 4.00 m x 2.85 m adopted for the nala in between Kotha Cheruvu to Bandam Kommu Cheruvu.
- 28) Before giving permission, the Superintending Engineer, Irrigation Circle, Sangareddy is requested to verify the survey numbers as per petitioners request and location sketch map.
- 29) The violation of any condition laid above, will instantly tend for cancellation of above permission without any prior intimation or notice.

In this connection you are requested to submit an undertaking incorporating the above terms & conditions on Rs.100 /- Non Judicial stamp for issuing clarification to the balance extent.

Yours Truly

Sd/- A.Muralidhar Dt :11.03.2024.

**Superintending Engineer, I&CADD,  
Irrigation Circle, Sangareddy.**

//Attested//

*20/03/24*  
**Deputy Superintending Engineer  
Irrigation Circle, Sangareddy**

**GOVERNMENT OF TELANGANA**  
**IRRIGATION & CAD DEPARTMENT**

From:

To:

Sri. A. Muralidhar, B.E, MIE, C.Engg (I),  
Superintending Engineer,  
Irrigation Circle, Sangareddy.  
sangareddy@gmail.com.

The Director, NOC Committee, HMDA,  
SwarnaJayanthi Complex, Ameerpet,  
Hyderabad.

Letter No. SE/IC/SRD/DSE/DEE1/TS4/ 600

Date: 12-03-2024

Sir.,

**Sub: -** I & CADD- Sangareddy District -Issue of clarification with regard to water body in Sy.Nos: 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 to the balance extent of Ac 2-14.25 Gts situated at Ameenpur (V), Ameenpur(M), Sangareddy District belonging to M/s. Lalitha constructions and developers-Clarification issued by the Chief Engineer (I), Sangareddy with certain conditions-Reg.

**Ref: -**

1. Representation of Human Rights & Consumer Protection cell Trust Dt:22.07.2021
2. GA (V&E) Department U.O Note No.890/V&E/D1/2021 Dt: 10.08.2021
3. Govt Memo No.5317/Vigilance-II/2021-1 Dt: 17.08.2021.
4. ENC(G) Lr.No. ENC(General)/P&M/SE/DCE/DEE.3/AEE.5/8902 Dt: 23.08.2021 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/AEE1/V&E/1029, Dt:27.08.2021.
5. OA No.192 of 2021 filed by Human Rights & Consumer Protection Cell Trust on Dt.27.08.2021
6. Findings/Reports of the Joint Committee Dt.27.08.2021 constituted in pursuance of orders of Hon'ble NGT in OA No.192 of 2021 (Annexure - II).
7. Joint Inspection Report of the Revenue, HMDA, Irrigation and Municipal officials Dt: 01.09.2021 & 02.09.2021 (Annexure - I).
8. Proceedings of the Joint Committee appointed by Hon'ble NGT in OA No.192 of 2021 vide Proc. No. D1/1365/2021 Dt: 17.09.2021
9. Govt.Memo No.6253/WRG-GRC/2021-1, Dt.23.09.2021.
10. E-In-C (G) Lr.No. ENC(G)/ SE(P&M)/DCE -KB/OT6/AEE-22/ 6253/ 2021, Dt.24.09.2021.
11. Tahasildar Lr.No.B/1273/2021, Dt.25.09.2021 addressed to M/s Lalitha Constructions
12. WP No.25256 of 2021 order Dt.05.10.2021 filed by M/s Lalitha Constructions
13. WP No.25246 of 2021 order Dt.05.10.2021 filed by M/s Lalitha Constructions
14. CE(I)/Hyd Lr.No.DCE/OT1/AEE3/KothaCheruvu lake to Bandamkommu lake/1037, Dt.22.10.2021.
15. ENC(G) Lr.No. ENC(General)/P&M/SE/DCE/DEE.3/AEE.5/8902/R1 Dt: 30.10.2021 communicated vide T.O Endt. No. CE(I)/SRD/ DCE/ DEE1/AEE1/1397 Dt: 02.11.2021.
16. E-In-C (G) Lr.No. ENC(G)/ SE(P&M)/DCE -KB/OT6/AEE-18/6253/ 2021/ 1, Dt.21.05.2022 communicated vide T.O Endt. No. CE(I)/SRD/ DCE/ DEE1/ AEE1 /275, Dt.23-05-2022.
17. ENC (G) Lr. No. ENC (G)/CE/SE (CADA)/EE/DEE4/AEE2/V&E/R2/312 Dt: 01.06.2022.
18. CE(I),SRD Memo No. CE(I)/SRD/DCE/ DEE1 /AEE1/397, Dt:08.06.2022.
19. Representation of M/s Lalitha constructions and Developers Dt.10.06.2022 addressed to the EE/ID No.1/SRD
20. CE(I)/SRD Memo No. CE(I)/SRD/DCE/ DEE1 /AEE1/520, Dt:22.06.2022.
21. WP No.28853 of 2022 order Dt.12.07.2022 filed by M/s Lalitha Constructions
22. T.O Lr.No.SE/IC/SRD/DSE/DEE(T)-2/TS2/833, Dt.14-11-2022.
23. CE(I),SRD Lr.No.CE/IRR/SRD/DCE/DEE1/AEE1/1433, Dt.22-11-2022 addressed to ENC(G)

24. E-In-C (G) Lr.No. ENC(G)/CE/SE(P&M)/DCE(MI)/DEE3 /AEE1/OA No.192/ 2021, Dt.03.12.2022 communicated vide T.O Endt.No. CE(I)/ SRD/ DCE/DEE1/AEE1/OA No.192/1556, Dt.08-12-2022.
25. Representation of M/s Lalitha constructions and Developers Dt.10.12.2022 addressed to the EE/ID No.1/SRD
26. WP No.2235 of 2023 order Dt.27.01.2023 filed by M/s Lalitha constructions and Developers
27. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/754, Dt:21.02.2023.
28. Govt. Memo No.1512/MI/A2/2023-1, Dt.02-03-2023 communicated vide E-In-C (Gen) Lr. No. ENC(G)/SE(P&M)/DCE(KB)/DEE 6/AEE 18/W.P.No.2235, Dt.03-03-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/ AEE1/ WP No.2235 of 2023/2129, Dt.04.03.2023.
29. T.O Lr.No.SE/IC/SRD/DSE/DEE II/TS5/654 Dt:14.03.2023 addressed to the District Collector, Sangareddy.
30. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/278, Dt.28-03-2023.
31. District Collector/SangareddyLr. No. D1/1365/2021, Dt.25.04.2023 addressed to the Director planning, EE/ID NO.1/SRD, RDO/SRD, Municipal commissioner, Ameenpur
32. CE (I), SRD Memo No.CE(I)/SRD/DCE/DEE1/AEE1/V&E/131, Dt:28.04.2023.
33. Joint Inspection Report of Irrigation, Revenue, HMDA and Municipal officials with reference to the Directions of Hon'bleHig court in W.P No.2235 of 203 filed by Lalitha Constructions and Developers, Hyderabad Dt:18.05.2023.
34. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/207, Dt:10.07.2023.
35. T.O Lr.No.SE/IC/SRD/DSE/DEE II/TS5/1757 Dt:13.07.2023 addressed to the District Collector, Sangareddy.
36. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/837, Dt:14.07.2023.
37. Joint Inspection Report of the Irrigation and Revenue officials Dt: 24.07.2023.
38. OA No 192 of 2021 Hon'ble NGT order Dt.31.07.2023 (Annexure - III)
39. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/584, Dt.05-08-2023 submitted the proposal based on the Application ofLalitha Constructions and developers Rep by its Managing Partner Sri Kaila Narasimhaaddressed to the Executive Engineer, Irrigation Division No.1, SangareddyDt :15.07.2023 and EE/ID No.1/SRD Lrs Dt.08.03.2023, 14.07.2023 and 01.08.2023
40. Representation of Bshetty Krishna Dt.10.08.2023 to the Spcl. Chief Secretary
41. E-In-C (Gen) Lr.No.ENC(G)/CE/SE(P&M)/DCE(MI)/DEE 3/AEE 1/Sy.No.353 Ameenpur, Dt.16-08-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/ AEE1/ Sy.No.353 Ameenpur/791, Dt.17.08.2023.
42. Legal Notice Dt.14.08.2023 from Sri Narsingoju Vishal, Advocate
43. CE (I),SRD Memo No. CE(I)/SRD/DCE/DEE1/ AEE1/795, Dt.17.08.2023.
44. CE (I),SRD Memo No. CE(I)/SRD/DCE/DEE1/ AEE1/794, Dt.17.08.2023.
45. Govt. Memo No.5842/WRG-GRC/A2/2023, Dt.18.08.2023.
46. E-In-C (Gen) Lr.No. ENC(G)/CE/SE(P&M)/DCE(MI)/DEE 3/AEE 1/Sy.No.353 Ameenpur, Dt.22-08-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/ AEE1/Sy.No.353/ 907, Dt.30.08.2023.
47. T.O Memo No. CE(I)/SRD/DCE/DEE1/AEE1/878,Dt.24.08.2023.
48. Application of Bshetty Krishna & 3 others Dt.24.08.2023 addressed to the CE(I)/SRD for clearance of NOC for Sy.No.354 in Ameenpur (V&M)
49. Application of Bshetty Krishna & 3 others Dt.24.08.2023 addressed to the CE(I)/SRD for clearance of NOC for Sy.No.353 in Ameenpur (V&M)
50. CE(I)/SRDLr.No. CE/IRR/SRD/DCE/DEE1/AEE1/892, Dt.28.08.2023 addressed to HMDA

51. CE(I)/SRD Memo No. CE(I)/87/DCE/DEE1/AEE1/918, Dt.01.09.2023.
52. CE(I)/SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/917, Dt.01.09.2023.
53. HMDA Lr.No.01/Gen/HMDA/LPC/2023, Dt.04.09.2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/AEE1/HMDA/275, Dt.04.11.2023
54. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/350, Dt:12.09.2023.
55. T.O Memo.No.SE/IC/SRD/DSE/DEE1/TS4/2406, Dt.15-09-2023.
56. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/712, Dt.19-09-2023.
57. District Collector/SangareddyLr.No. D1/1365/2021, Dt.22.09.2023 addressed to SE/IC/ SRD copy to EE/SRD and CE/SRD
58. E-In-C (G) Lr.No. ENC(G)/CE/SE(P&M)/DCE(MI)/DEE3/AEE1/OA No.192, Dt.27.09.2023 communicated vide T.O Endt.No. CE(I)/SRD/DCE/DEE1/ AEE1/OA No.192/1122, Dt.04-10-2023.
59. T.O Lr.No.SE/IC/SRD/DSE/DEE(T)-2/TS2/809, Dt.13-10-2023.
60. Govt. Memo No. 7577/WRG.GRC/A2/2023, Dt.26-10-2023 duly communicating Show cause notice before admission for WP No.27404 of 2023 filed by M/s Lalitha constructions and Developers order Dt.04.10.2023 communicated vide E-In-C (Gen) Lr.No. ENC(G)/SE(P&M)/ DCE - KB/DEE 6/AEE 18/WP No.27404/2023, Dt.28-10-2023 communicated vide T.O Endt. No. CE(I)/SRD/DCE/DEE1/AEE1/WP No.27404 of 2023/1250, Dt.30.10.2023.
61. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/869, Dt.07-11-2023.
62. CE(I)/SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/ WP No.27404 of 2023/1292, Dt.07.11.2023.
63. CE(I)/SRD Memo No.CE(I)/SRD/DCE/DEE1/AEE1/V&E/1432, Dt:05.12.2023.
64. CE(I)/SRDLr. No. CE/IRR/SRD/DCE/DEE1/AEE1/1491, Dt.14-12-2023 addressed to ENC(G)
65. Legal Notice of M/s Chandrasen Law Offices Dt.18.12.2023.
66. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/979, Dt.19-12-2023.
67. T.O Memo.No.SE/IC/SRD/DSE/DEE1/TS4/3119, Dt.20-12-2023.
68. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/3121, Dt.20-12-2023.
69. CE(I), SRD Memo No.CE(I)/SRD/DCE/DEE1/AEE1/ WP No.27404 of 2023/1524, Dt.21.12.2023.
70. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/989, Dt.27-12-2023 communicated EE/ID No.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/559, Dt.23.12.2023 addressed to Sri Kaila Narsimha
71. Legal Notice of M/s Chandrasen Law Offices Dt.02.01.2024.
72. E-In-C (G) Lr.No. ENC(G)/DENC/DCE(MI)/DEE3/AEE1/OA No.192 of 2021, Dt.06.01.2024.
73. CE(I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/ WP No.27404 of 2023/1575, Dt.08.01.2024.
74. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/26, Dt.11-01-2024.
75. CE(I), SRDLr. No.CE(I)/SRD/DCE/DEE1/AEE1/1599,Dt.12.01.2024 addressed to the CE/CDO
76. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/32, Dt.12-01-2024.
77. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/46, Dt.18-01-2024.
78. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/44, Dt.18-01-2024.
79. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/43, Dt.18-01-2024.
80. CE(I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/WP No.27404 of 2023/1622, Dt.20.01.2024.
81. CE(I), SRD Memo No. CE(I)/SRD/DCE/DEE1/AEE1/1621, Dt.20.01.2024.
82. CE/CDOLr.No.CE/CDO/SE-3/EE-5/DEE-1/Irrg/SRD/01/2024 /02/ 2024, Dt.23.01.2024
83. EE/ID.1/SRD Lr.No.EE/ID No.1/SRD/DB/DEE(T)/ AEE1/78,Dt:02.02.2024.
84. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/128,Dt.05-02-2024.
85. T.O Lr.No.SE/IC/SRD/DSE/DEE(T)-2/TS2/129, Dt.05-02-2024.
86. Representation of Bashetty Krishna Dt.06.02.2024 addressed to the Spcl. Chief

Secretary to drop allegation representation

87. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/146, Dt.08-02-2024.
88. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/155, Dt.10-02-2024.
89. CE(I), SRDLr. No. CE(I)/SRD/DCE/DEE1/AEE1/,1821, Dt.22.02.2024. (V&E report to ENC(G))
90. CE(I), SRDLr.No.CE(I)/SRD/DCE/DEE1/AEE1/,1819,Dt.22.02.2024.(OA No.192 of 2021 to ENC(G))
91. CE(I), SRDLr. No. CE(I)/SRD/DCE/DEE1/AEE1/,1820, Dt.22.02.2024. (Bashetty Krishna)
92. T.O Lr.No.SE/IC/SRD/DSE/DEE II/TS5/198 Dt:23.02.2024
93. CE(I), SRDLr. No. CE(I)/SRD/DCE/DEE1/AEE1/,1830, Dt.24.02.2024 (WP No 2235 of 2023)
94. T.O Lr.No.SE/IC/SRD/DSE/DEE1/TS4/146, Dt:08-02-2024.
95. CE(I), SRD Memo No.CE(I)/SRD/DCE/DEE1/AEE1/NOC/1878, Dtd: 04.03.2024.
- 96.T.O Memo.No.SE/IC/SRD/DSE/DEE 1/TS4/1550 Dt.06.03.2024.
97. EE/ID/SRD Lr.No. EE/ID No.1/SRD/DB/DEE(T)/AEE1/164 Dt: 07.03.2024..
98. T.O.Lr. No. SE/IC/SRD/DSE/DEE1/TS4/ 580Dt: 11.03.2024.
- 99.Undertaking Lr Dt.12.03.2024.

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It is to submit that, vide reference 39<sup>th</sup> cited, the applicant M/s. Lalitha Constructions and developers Rep by its Managing Partner Sri Kaila Narasimha has applied to the Executive Engineer, Irrigation Division No.1, Sangareddy in respect of Sy. No. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 to an extent of Ac 02-18 Gts situated at Ameenpur (V), Ameenpur (M), Sangareddy District.

The proposals were submitted to the Chief Engineer Irrigation, Sangareddy vide T.O Lr.No.SE/IC/SRD/DSE/DEE 1/TS4/584, Dt:05-08-2023. The proposals were returned by the Chief Engineer Irrigation Sangareddy vide Memo No.CE(I)/SRD/DCE/DEE1/AEE1/878,Dtd:24-08-2023, T.O Endt.No.DE/IC/SRD/DSE /DEE1 /TS4/2185, Dtd:26-08-2023 with certain remarks, which were communicated to the Executive Engineer, Irrigation Division No.1, Sangareddy for submitting the replies. The Executive Engineer Irrigation Division No.1, SangareddyvideLr.No.EE/ID.1/SRDLr.No.EE/ID/SRD/DB/DEE(T)/AEE1/260, Dt:01.08.2023 and Lr No.EE/ID/SRD/DE/DEE(T)/AEE1/06 Dt : 06.01.2024 has submitted the proposals and recommended in respect of clarification to water bodies.

In this regard, the Executive Engineer, Irrigation Division No.1, Sangareddy submitted that, the Irrigation and Revenue officials have jointly inspected the applicant's land in Sy Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 to an extent of Ac 02-18 Gts situated at Ameenpur (V), Ameenpur (M), Sangareddy District on 24.07.2023 and reported as follows.

1. It is observed that the applicant land in Sy.Nos.276,277,314 and 315 of Ameenpur village is situated downstream of Kothachervu, which is linked to peddachervu of Ameenpur village.

- 89
2. Further observed that the surplus course from the Kothacheruvu is traversing through the intervening area i.e. Patta land as a sheet flow and eventually discharging into the BandhamKommu tank situated on downstream.
  3. It is also observed that Surplus flow from Kothacheruvu passing through Petitioner's land in Sy No 315 of Ameenpur (V) with a part of the course abutting the boundary of the petitioner site before discharging into the BandhamKommu tank which is existing on the downstream.
  4. Further it is observed that the surplus course between KothaCheruvu and BandhamKommu tank has no definite channel to accommodate and align the flow discharge, except for a narrow concrete trough channel constructed by the petitioner on their land to guide the flow traversing through his land. In this regard, joint inspection team opined that the surplus Nala course requires to be properly channelized as per the hydraulics in order to ensure the free flow of water without any interruption during rains.
  5. In this regard the joint inspection team also perused the findings as enumerated in the inspection report of the committee constituted by the Collector vide order NoLr No. D1/1365/2021 dated 25.04.2023, in pursuance of the Hon'ble High Court directions in W.P No. 2235 of 2023 filed by M/s Lalitha Constructions And Developers. Further in respect of the surplus channel the committee after due consideration of the maximum discharge from the left side weir arrangement of KothaCheruvu, hydraulic calculations, permissible velocities, existing bed fall and terrain conditions opined that 4.0mx 2.85m is the optimum size of the concrete channel, for a length of 56.0 m in the petitioner land, which can accommodate safely the maximum flood discharge of 45.0 cumecs without causing any inundation.
  6. The joint inspection team after due inspection of the land situated in the subject land survey numbers vis-à-vis the recommendations of the committee report dated 18.05.2023 based on the opinion of expert engineers and with due considerations from the technical perspective details endorse the findings/recommendations of the committee report.
  7. Hence considering the surplus concrete channel width of 4.0 m the applicant land in Sy No. 315 is found to be affected under the channel and its buffer zone of 2.0 m as per the condition stipulated in G.O Ms No.168 of MA & UD Dept, Dated:07.04.2012.

The Executive Engineer, Irrigation Division No.1, Sangareddy reported that he has inspected the site Dt .07.2023 and upon the inspection satisfied and recommended to issue necessary clarification to the applicant's land to the balance extent Ac 02-14.25Gts in survey Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur(V), Ameenpur(M), Sangareddy District as it is free from water body/Nala/Vagu as per GO Ms No. 168 of MA & UD Dept, Dt: 07.04.2012 vide reference Executive Engineer, Irrigation Division No.1, SangareddyLr.No. EE/ID.1/SRD Lr.No.EE/ID/SRD/DB/DEE(T)/AEE1/260,Dt:01.08.2023

In this regard, the Chief Engineer (I), Sangareddy along with Superintending Engineer, Irrigation Circle, Sangareddy has inspected the applicant's land in Sy.Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 of total extent Ac 02-18 Gtson Dt: 02.08.2023 accompanied with Executive Engineer, Deputy Executive Engineer, IB Sub Division, Patancheru, Sangareddy District and concerned section officer after receiving the proposals and submitted the proposals to the Chief Engineer, Irrigation Sangareddy to issue necessary clarification to the balance land to an extent of Ac 02-14.25Gts in Sy. No: 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 as requested by the applicant and as recommended by the Executive Engineer, Irrigation Division No.1, SangareddyLr.No. EE/ID.1/SRD Lr.No.EE/ID/SRD/DB/DEE(T)/AEE1/260,Dt:01.08.2023 and Lr No.EE/ID/SRD/DE/DEE(T)/AEE1/06 Dt : 06.01.2024.

The Chief Engineer, Irrigation, Sangareddy vide reference 98<sup>th</sup> cited has issued clarification to the applicant balance land Ac 02-14.25 Gts in Sy. Nos: 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur(M), Sangareddy District as shown in the table.

**Table-A**

| SI. No.      | SY.NO    | The total extent of land (Ac-Gts) | Applicant Land extent (Ac - Gts) | Applicant Land Extent affected under surplus course/Nala (4.0 Mts) | Applicant Land Extent affected under surplus course/Nala buffer (2.0 Mts) (Ac - Gts) | Applicant Balance land Extent (Ac - Gts) |                 |
|--------------|----------|-----------------------------------|----------------------------------|--|--|--|-----------------|
| 1            | 276/B    | 02-03                             | 00-10                            | NIL  | NIL  | 00-10                                    |                 |
| 2            | 277      | 02-11                             | 00-04                            | NIL  | NIL  | 00-04                                    |                 |
| 3            | 314/A2   | 01-05<br>(Sy No 314)              | 00-04                            | NIL  | NIL  | 00-04                                    |                 |
| 4            | 314/A3   |                                   | 00.04                            | NIL  | NIL  | 00.04                                    |                 |
| 5            | 314/A4   |                                   | 00.04                            | NIL  | NIL  | 00.04                                    |                 |
| 6            | 314/C1/1 |                                   | 00.03.25                         | NIL  | NIL  | 00.03.25                                 |                 |
| 7            | 314/C1/2 |                                   | 00.03.25                         | NIL  | NIL  | 00.03.25                                 |                 |
| 8            | 314/C1/3 |                                   | 00.00.25                         | NIL  | NIL  | 00.00.25                                 |                 |
| 9            | 314/C1/4 |                                   | 00.00.25                         | NIL  | NIL  | 00.00.25                                 |                 |
| 10           | 314/C2   |                                   | 00.08                            | NIL  | NIL  | 00.08                                    |                 |
| 11           | 315      |                                   | 01-17                            | 01-17  | 00-02.0  | 00-01.75                                 | 01-13.25        |
| <b>Total</b> |          |                                   | <b>06-36</b>                     | <b>02-18</b>   | <b>00.02.0</b>   | <b>00.01.75</b>                          | <b>02-14.25</b> |

Further, the Chief Engineer, Irrigation, Sangareddyhas instructed to obtain an undertaking from the applicant on Rs.100/- Non Judicial stamp paper covering following conditions mentioned in the reference98<sup>th</sup> cited before issuing clarification to the applicant's land.

- 1) The permission to issue clarification is accorded based on the field report of Executive Engineer and it is requested to ascertain ground realities before issue of clarification.
- 2) There should not be any kind of construction in FTL/MFL/Bund and buffer zone area which is clearly demarcated in the revenue sketch map submitted by the Mandal Surveyor and Tahsildar, Ameenpurmandal, Sangareddy District.
- 3) The natural flow in the catchment area through the applicant land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, should not be obstructed or diverted or utilized for any purpose and open drain should be constructed to required size with sufficient vents are to be provided to allow the rain water enter freely into the tank/vagu/Nala.
- 4) There should not be any kind of dumping (or) throwing of Garbage (or) any kind of material into the tank/Nala/Channel.
- 5) Any kind of sewerage (or) any kind of effluents should not be allowed to let into the tank/Vagu/ Nala/Channel.
- 6) No construction is allowed in FTL/MFL area and Buffer zone areas. Further buffer zone area has to be left for Greenery only.
- 7) The department officials or Government representatives will have the right to inspect the free natural flow through the applicant land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, and there should not be any restrictions or obstruction for their entry for inspection.
- 8) Any objection by the higher authorities of Irrigation department /or any other Government department conversion of land to residential/commercial use zone of above applicants land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, is liable for cancellation of permission without any prior notice and no compensation or reimbursement of cost maintenance due to above permission will be paid by the government Department for any reasons what so ever.
- 9) The Construction/layout in applicant land in Sy. Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur (V), Ameenpur (M), Sangareddy District, should be carried as per the terms & conditions stipulated in GO Ms No. 168 of MA & UD Dept, Dt: 07.04.2012 and G.O Ms.No.7 of MA & UD Dept, Dt: 05.01.2016 and related G.O's issued from time to time and as per the Chief Engineer, I & CAD, Hyderabad guidelines, circulars issued time to time and that should be followed scrupulously without fail.
- 10) The status of channels/surplus course shall be maintained as per the original standards and should not be disturbed.
- 11) Same Inlet and Outlet points of stream shall be maintained.
- 12) Earlier directions/Instructions of HMDA if any, on this Sy.Nos. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 & adjacent Sy.Nos shall be strictly followed and any deviations to the above, applicant will be personally held responsible for legal complications and any other complication.

- 13) This Clarification issued on water bodies only based on the recommendation of the Revenue and Irrigation authorities and this clarification will not confirm any right of ownership on the subject property.
- 14) The Executive Engineer is instructed to ensure joint inspection before and after establishment of the real estate venture to ensure that all rules have compiled with as per the instructions of Engineer - In - Chief (General) Letter No. ENC (G)/SE(P&M)/DCE(KB)/ OT4/AE9/VR No.107, Dt: 25.10.2023.
- 15) The SE/IC/SRD vide Lr.No.SE/IC/SRD/DSE/DEE1/TS4/128, Dt.05-02-2024 has submitted that there is no financial implication due to construction of drain as the construction cost of the CC drain will be borne by the petitioner. The applicant shall bear the cost of proposed construction of the CC drain under the supervision of I&CAD Dept. officials and the Executive Engineer, Irrigation division No.1, Sangareddy shall ensure the same.
- 16) This clarification is issued subject to outcome of the WP 25246 of 2021 and WP 25256 of 2021 in the Hon'ble High Court of Telangana and NGT or any other Hon'ble Court cases and also orders issued if any by the Government in this regard etc., and the cost of modifications if any proposed/required shall be borne by the applicant.
- 17) As per the instructions of the District Collector, the team comprising officials drawn from Revenue, HMDA (Lake Protection Committee), HMDA (Planning), Irrigation & Municipal Departments have conducted a joint inspection of the inlet and outlet Nalas of the Kothacheru and BandhamKommu tanks of Ameenpur Village on 01.09.2021 & 02.09.2021 and marked the flood water stream. The EE/ID No.1/SRD shall ensure that the alignment of nala now proposed is same as above.
- 18) The Executive Engineer has stated that the joint inspection team opined that the surplus Nala course requires to be properly channelized as per the hydraulics in order to ensure the free flow of water without any interruption during rains. The EE/ID No.1/SRD shall ensure the same.
- 19) The Committee constituted by the Hon'ble NGT, Chennai, comprising of the District Collector, Sangareddy, Superintending Engineer, Irrigation, Sangareddy and Director-1, Planning, HMDA, Hyderabad (representative of Metropolitan Commissioner HMDA directed the Irrigation and Revenue Departments as well as the Ameenpur Municipality to remove the encroachments in the Water Pathways of the Kothacheruvu and Bandamkommu Water Bodies as per the boundaries fixed in respect of the subject water bodies by the Irrigation Department duly as per rules in vogue. The Superintending Engineer/Executive Engineer, Sangareddy shall ensure the same.
- 20) In the clarification proposal submitted by the SE/IC/SRD vide Lr.No.SE/IC/SRD/DSE/DEE1/ TS4/ 146, Dt.08-02-2024 it is reported that the Joint inspection team has not discussed about the stream on the north side of the applicant's land which is shown in the irrigation map superimposed in the revenue map and not proposed any deductions towards the same and finally requested to issue clarification. Hence SE/IC/SRD is requested to ensure the same before issuing clarification. Vide reference 96<sup>th</sup> cited, this office has requested the Executive Engineer to submit the reply on the point (20) raised by the Chief Engineer (I), Sangareddy for further processing the file. The Executive Engineer vide LR.No. EE/ID No.1/SRD/DB/DEE(T)/AEE1/164 Dt: 07.03.2024 has submitted a reply to the above memo and reported that "the stream indicated in the revenue map on the north side of the applicant land is field channel and physically there are no traces of the said channel noticed on the ground and the area in and around the subject site is urbanized. Hence no deductions are made for the same as per the ground conditions".
- 21) The Concerned Deputy Executive Engineer & Assistant Executive Engineer will be held responsible if any constructions are noticed later stage in the FTL/MFL/Buffer zone area.

- 22) The Executive Engineer, Irrigation division No.1, Sangareddy shall ensure that the extent of deductions towards MFL/FTL/Buffer etc., are as per norms/Gos etc. in force and responsible for the same.
- 23) The Executive Engineer, Irrigation division No.1, Sangareddy is requested to make proper necessary drainage arrangements as per site conditions to ensure free flow of catchment water without any interruption, it is instructed to ensure the same in such a way that it will not affect the nala course at the entry and exit from the applicant's land and also without effecting the adjacent lands duly following the Irrigation standards and procedures in vogue.
- 24) The Executive Engineer, Irrigation division No.1, Sangareddy Irrigation division No.1, Sangareddy shall ensure that there are no other water bodies apart from the above mentioned affecting the applicant's land.
- 25) This clarification is issued as per the clarification communicated by HMDA lakes division vide Lr.No.01/Gen/HMDA/LPC/2023, Dt.04.09.2023 regarding the issuance of NOC for the Sy.Nos where there are existing buildings/structures stating that G.O 168 shall be followed while issuing NOC for the existing and proposed permissions.
- 26) The Executive Engineer, Irrigation division No.1, Sangareddy Irrigation division No.1, Sangareddy shall ensure that there are no encroachments in the proposed MFL & Buffer zone of nala.
- 27) The EE/ID No.1/SRD is responsible for the section 4.00 m x 2.85 m adopted for the nalain between KothaCheruvu to BandamKommuCheruvu.
- 28) The violation of any condition laid above, will instantly tend for cancellation of above permission without any prior intimation or notice.

The same was intimated to applicant to submit Notarized Undertaking on Rs.100 /- vide reference, 98<sup>th</sup> cited and in turn applicant has submitted the Notarized undertaking with above terms and conditions on Rs.100/- non Judicial stamp Paper vide reference 99<sup>th</sup> cited.

Hence, it is submit that, the balance extent of land Ac02-14.25 Gts in Sy. Nos: 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1,314/C1/2, 314/C1/3, 314/C1/4, 314/C2, and 315 situated at Ameenpur(V), Ameenpur(M),Sangareddy District is not affected in any water body/Channel and it is free from the water body as per the norms stipulated in G.O Ms.No.168 of Dt: 07.04.2012 of MA & UD Department.

Yours Truly  
Sd/A.Muralidhar, Dt:12-03-2024  
Superintending Engineer, I&CADD,  
Irrigation Circle, Sangareddy

- 1) Copy submitted to the District Collector, Sangareddy for favour of information.
- 2) Copy submitted to the Chief Engineer, Irrigation, Sangareddy for favour of information along with a copy of applicants notarized undertaking of Rs.100 /- NJSP (Ref-99).
- 3) Copy to the Executive Engineer, Irrigation Division No.1 Sangareddy, along with a copy of applicants notarized undertaking on Rs.100 /- NJSP (Ref-99) and copy of 95<sup>th</sup> reference for information and he is requested to take further necessary action in the matter and shall regularly monitor and ensure that no violation of the applicant take place.
- 4) Copy to M/s. Lalitha constructions and developers, Lalithadivine county, Green Villas, Road No.3, Ameenpur, Telangana, Telangana state -502302Regd Post with Ack Due.

Sd/A.Muralidhar, Dt:12-03-2024  
Superintending Engineer, I&CADD,  
Irrigation Circle, Sangareddy

//Attested//

*Muralidhar 12/3/24*  
Deputy Superintending Engineer  
Irrigation Circle, Sangareddy

(A)

*12/3/24*

94

**GOVERNMENT OF TELANGANA  
IRRIGATION & CAD DEPARTEMENT**

**From:-**

Sri.P.Madhusudhan Reddy, B.E  
Executive Engineer I&CADD,  
Irrigation Division No.1, Sangareddy.

**To:-**

M/s .Lalitha Constructions & Developers,  
Rep by its Managing Partner,  
Mr. Kaila Narsimha, Lalitha Divine  
county, Green villas, Road No.5  
Ameenpur (V & M), Sangareddy(D),  
Hyderabad.

Lr No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/ 1899

Dt: 19. 07.2024.

Gentlemen,

**Sub:-** Sangareddy District - Ameenpur (M)- Ameenpur (V)- Approach for Crossing Surplus Nala in Sy.No.315 of Ameenpur (V) to access from Krishna Brundavan Colony approach road - Laying of RCC Slab over the CC drain- Requested- Reg.

**Ref:-** 1. Application of M/s Lalitha Constructions and Developers Rep. by its Managing Partner Sri.Kaila Narsimha R/o Ameenpur Dt: 22.06.2024.  
2. EE/ID No.1/SRD,Endt No.EE/ID No.1/SRD/DB/DEE(T)/AEE1/1696, Dt: 22.06.2024.  
3. DEE/ISD No.5/PTC, Lr. No. DEE/ISD-5/PTC/163, Dt:18.07.2024.

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Vide ref. 1<sup>st</sup> cited above, M/s Lalitha Constructions and Developers represented by its Managing Partner Mr. Kaila Narsimha has represented to the Executive Engineer, Irrigation Division No.1, Sangareddy stating that he has constructed the Residential Apartments in Sy. No. 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 and 315 of Ameenpur (V&M) in an area of Ac 2-14.25 Gts. Further there is a existing nala in Sy. No. 315 for which the NOC has been issued for construction of CC drain of size 4.0 M x 2.85 M by the Irrigation Department. Further he has stated that there is an approach road to Krishna Brundavan Colony having width of 12.0 M to connect their Residential apartments from south side as per the sanctioned HMDA layout plan and the existing nala is in between their constructed Residential apartments and Krishna Brundavan Colony and they have constructed the drain for the surplus nala as per the Irrigation NOC issued by Superintending Engineer, Irrigation Circle, Sangareddy.

In this regard, the applicant has requested the Executive Engineer, Irrigation Division No.1, Sangareddy to give Permission for laying of RCC slab over the CC drain. In turn a copy of the same is forwarded to the Deputy Executive Engineer, Irrigation Sub-Division No.5, Patancheru vide ref. 2<sup>nd</sup> cited above with a request to examine the issue and submit a report to this office at the earliest.

Accordingly, the Dy. Executive Engineer, Irrigation Sub-Division No.5, Patancheru vide ref 3<sup>rd</sup> cited has reported that a joint inspection has been conducted along with the Tahsildar, Ameenpur Mandal, concerned section officer and Mandal Surveyor and during the inspection it was noticed that a surplus channel of Pedda cheruvu & Kotha cheruvu of Ameenpur (V) is existing in Sy. No. 315 of Ameenpur (V) in between their constructed Residential apartments and Krishna Brundavan Colony. Further to accommodate the maximum discharge of surplus Nala a CC drain is constructed with size of 4.0 M x 2.85 M as per the NOC issued by the Superintending Engineer. Irrigation Circle, Sangareddy vide Lr.No.SE/IC/SRD/DSE/ DEE1/TS-4/580, Dt:11.03.2024..

Further reported that the joint inspection team further examined the request of the applicant and to approach the site in Sy. No's 276/B, 277, 314/A2, 314/A3, 314/A4, 314/C1/1, 314/C1/2, 314/C1/3, 314/C1/4, 314/C2 and 315 of Ameenpur (V) needs a culvert provision to have access to the applicant for their approach over the CC surplus water drain. Further noticed the construction of the project is about 5.0 M away from the surplus nala and the joint inspection team opined for laying of RCC Slab over the CC drain to have access for the applicants land as per the HMDA layout plan with the applicant own cost.

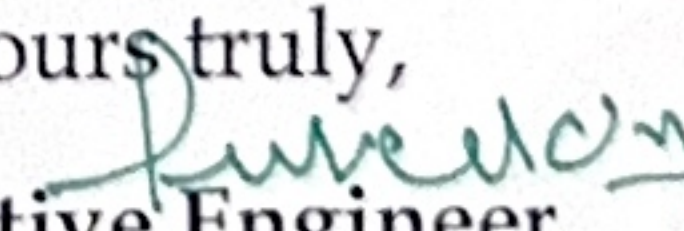
Duly enclosing the plan and RCC bridge drawings the Dy. Executive Engineer, Irrigation Sub-Division No.5, Patancheru recommended for issuing permission in favor of the applicant for laying of RCC slab over the surplus channel of Pedda cheruvu & Kotha cheruvu of Ameenpur (V) in Sy. No. 315 of Ameenpur (V) existing in between the constructed Residential apartments and Krishna Brundavan Colony subject to terms and conditions of the Irrigation Department.

In this connection, the undersigned has also inspected the site along with the field staff and examined the proposals submitted by the Dy. Executive Engineer,

Irrigation Sub-Division No.5, Patancheru and as per the site condition opined with the proposal for laying of RCC Slab over the CC surplus drain of size 4.00 M x 2.85 M in Sy. No. 315 of Ameenpur (V) with the own cost of the applicant on the following the terms and conditions:

1. The Permission for the laying of RCC slab is accorded at the request of the applicant and he is solely responsible for the contents made in the application.
2. The grant of Permission cannot be construed that the contents of the application being ratified or confirmed by the authorities under the act.
3. It does not confer any right title or ownership to the applicant over the scheduled property.
4. The applicant has to obtain Permission for the Right of way from the Revenue authorities.
5. The RCC slab is proposed over the existing CC drain of size 4.0 m x 2.85 m duly constructing abutment for the free flow of water.
6. The applicant can access the site by constructing the RCC slab over the existing CC drain at his own cost as per the approval of the design without obstructing the free flow of water.
7. The design and drawing of RCC slab over the existing CC drain shall be as per standards and approved by the appropriate authorities of concerned departments. Further, the construction of the RCC slab over the existing CC drain shall be executed under the supervision of the Irrigation Department and other concerned Department Officials.
8. The officials of the Government Department will have the right to access and inspect the site and there should not be any restrictions on entry and inspection at any time.
9. There should not be any dumping/throwing of any type of waste/debris etc and should not let sewerage water/Effluents in any form into Nala/Channel and pollute the water.
10. The free natural flow of water flow from the catchment area should not be obstructed and allowed to flow freely.
11. For any construction in the aforesaid survey numbers the applicant has to follow the terms and conditions laid down under G.O.Ms.No.168 of MA & UD Dept, Dt: 07-04-2012.
12. The authorities reserve the right to cancel the permission issued, if it is found that the permission is obtained by Fraud, Suppression of information, misrepresentation or by mistake of fact.

In case of any violation of the conditions laid above, the permission accorded will be canceled without any prior intimation or notice.

Yours truly,  
  
 Executive Engineer, 19/07/24  
 Irrigation Division No.1,  
 Sangareddy.



4 metres NALA



2 m Buffer



BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTH ZONE BENCH AT CHENNAI

MA. No. 12 of 2024

in

Original Application No. 192 of 2021

Human Rights & Consumer Protection Cell  
Trust & Anr.

...Applicants/Applicants

Vs.

The State of Telangana & 9 ors.

... Respondents/Respondents

COUNTER AFFIDAVIT ALONG WITH TYPED  
SET OF DOCUMENTS

SURYA TEJA SS NALLA (AP/825/2018)

AISHWARYA S NATHAN (MS/1569/2013)

TULESH BALAJE R (MS/4062/2023)

COUNSEL FOR 9<sup>TH</sup> RESPONDENT

9566349739