

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI**

**MA No 02 OF 2024(SZ)
In
OA No 331 OF 2023 (PB)**

IN THE MATTER OF:

Sri Atluri Srinivasa Rao

..... Applicant

Vs

Andhra Pradesh Pollution Control Board

Rep.by. its Member Secretary Vijayawada and Others

.... Respondents

REPORT FILED BY THE APPCB RESPONDENT NO 1

DATE - 17.01.2025



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 98407 98460 / 63831 21322,

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Before the Hon'ble National Green Tribunal South Zone, Chennai

M.A. No.02/2024(SZ) in O.A.No.331 of 2023 (SZ)

Sri Atluri Srinivasa Rao

..... Applicant (S)

Versus

Andhra Pradesh Pollution Control Board

Rep.by. its Member Secretary

Vijayawada and Ors

.... Respondent (S)

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Place: Guntur

Date: 16.01.2025


Environmental Engineer 16/1/25

APPCB, RO, Guntur
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.

Status report on Hon'ble NGT (SZ), Chennai in Miscellaneous Application No.02 of 2024 (SZ) in Original Application No.331 of 2023 (SZ) earlier M.A.no.96/2023 (PB) in the matter of Sri Atluri Srinivasa Rao versus Andhra Pradesh Pollution Control Board Rep.by its Member Secretary, Vijayawada and others.

Earlier Status:

1. Hon'ble National Green Tribunal (NGT) Principle Bench (PB), New Delhi vide O.A.No.331/2023 issued the following Order dt.29.05.2023 pertaining to Sri Atluri Srinivasa Rao Rtd., Vs State of Andhra Pradesh pertaining to Flower Market at Sy.no.39-1 &40, Tadepalli village, Guntur district: the extract is as follows –

“

4. In our view, this issue can be looked into, at the first instance by the local authorities and for the purpose whereof we constitute a Joint Committee comprising State PCB, District Magistrate, Vijayawada and Irrigation Department, Andhra Pradesh who shall visit the site, collect relevant information and if finds any violation of environmental laws and norms, would take appropriate remedial action in accordance with law within two months. The action taken may take into consideration of permitting trade activities in the river flood plain zone and proper management of waste (solid and liquid) and further preventing any environmental degradation.

5. State PCB, shall be the nodal agency for coordination and compliance of this order.

6. With the above directions, the application is disposed of.

7. A copy of this order be forwarded to State PCB, District Magistrate, Vijayawada and Irrigation Department, Andhra Pradesh by e-mail for compliance. “

2. The Collector & District Magistrate, Guntur has constituted the Joint Committee for Joint inspection of Flower Market, Sy.No.39-1 & 40, Tadepalli village, Vijayawada club road with the following Officials and directed to submit the Inspection report before 15.07.2023.

1. Sub-Collector, Tenali, Guntur district
2. Superintendent Engineer, Irrigation, Guntur.
3. Environmental Engineer, APPCB, Regional Office, Guntur.

3. In this regard, the then Sub Collector, Tenali, the Executive Engineer, River Conservancy, Krishna Central Division, Vijayawada (on behalf of Superintendent Engineer, Irrigation, Guntur) and Executive Engineer, APPCB, Regional Office, Guntur have inspected the Flower Market, Sy.No.39-1 & 40, Tadepalli village on 11.07.2023 and the details are as follows:-

a) **Details of the Site:**

- The Flower Market with 80 Nos. petty shops was constructed on the name of Raithu Mitra whole sale Flower Market at Sy.No.39-1 & 40, Tadepalli village, Vijayawada club road at Krishna River Right Flood bank in the village limits of Tadepalli, Guntur district in 64 cents.
- The Flower Market has not yet started the activity of sale of flowers. Expected to commence the operations in the 3rd week of July, 2023 on the occasion of Sravanamasam.

On 16/7/25
**ENVIRONMENTAL ENGINEER
 A.P. POLLUTION CONTROL BOARD
 REGIONAL OFFICE, GUNTUR.**

- The Flower market is surrounded by 'Adventura' go-fasting track is situated in between the below directions:

North : One Godown followed by residential houses
 South : Agricultural lands
 East : Repalle Karakatta followed by River Breeze Apartments
 West : Gowthami School

- The latitudes and longitudes of the Flower market are (N16°28'45.97464",E80°37'25.90212"),(N16°28'46.45812",E80°37'25.16412"),(N16°28'49.11624", E80°37'26.904") and (N16°28'48.58212", E80°37'27.70788").
- It is noticed that the subject site located between the Karakatta (River Bed) and river stream and falls under the Sy.No.39, 40 of Tadepalli Village of Tadepalli Mandal. As per the RSR of the Tadepalli Village, the details of the Sy.No.are shown below:

Sy.No	Extent (Ac.cts)	Classification	Remarks
39	1.61	Government – Dry	The subject land is Patta land located between River Bund and River Stream
40-A	1.52	Government – Dry	
40-B	5.00	Government – Dry	

b. Observations of Irrigation Officials:

- The Executive Engineer & River Conservator, Krishna submitted that the said Flower Market Construction works beside the Krishna Right Flood Bank towards River side are being takenup without any permission from the River Conservator, Krishna.
- The Assistant Executive Engineer, River Conservancy (RC) Section, Vallabhapuram issued notice as per River Conservancy Act 1884 to Sri J.V. Krishna Reddy S/o J. Venkateswara Reddy, Tadepalli, instructing to stop the construction and to remove the unauthorized construction part build.
- The unauthorized construction is being continued despite of the notices issued by the Irrigation Department.
- Further, the residents living near Tadepalli Karakatta complained to the Commissioner, Tadepalli Municipal Corporation through Spandana Complaint No.GNT20221212138, dt.12.12.2022.
- In response to the Spandana Complaint the Deputy City Planner replied that there were no permissions given for setting up of flower market in the river bed in Tadepalli Village limits.

[Signature]
 ENVIRONMENTAL ENGINEER
 A.P. POLLUTION CONTROL BOARD
 REGIONAL OFFICE, GUNTUR

16/1/25

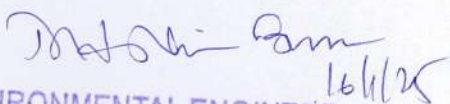
- Further stating that the authorized construction beside Krishna Right Flood Bank on river side is being continued despite of the three notices issued with an intention to establish flower market at the said location.
- As the said construction is objectionable in river conservancy point of view which might obstruct free flow of water, threatens the safety of flood bank and might pollute the river.
- The authorities of Tadepalli - Mangalagiri Municipal Corporation took action on unauthorized construction and dismantled certain ongoing construction works such as partition walls.

c. Observations of the Pollution Control Board:

- The Pollution Control Board, Guntur submitted that the Flower market was constructed without obtaining permission from competent Authorities and the constructed area falling under River Conservancy Zone.
- The Flower market laid 24ft CC road towards Krishna River and also provided drainage towards Krishna River side.
- The Flower market has constructed 4 number of wash rooms with septic tank followed by soak pit for disposal of domestic waste water.
- Disposing of unsold and spoiled flowers in to River would affect the aquatic environment as the unsold and spoiled flowers would contribute organic matter in to the water which results high Bio Chemical Oxygen demand (BOD) which depletes the Dissolved Oxygen (DO) in the river water thus results effect of aquatic environment. Hence, operation of Flower market in the River Conservancy Zone may not be suggested.

d. Observations of Tahsildar, Tadepalli:

- The Tahsildar, Tadepalli submitted that the field inspection reveals that the subject site located between the Karakatta (River Bed) and river stream and falls under the Sy.No.39, 40 of Tadepalli Village of Tadepalli Mandal.
- After verification of the available records, the subject site is patta land and the flower market construction is already completed and trading of flowers is going on in it.
- Based on the information furnished by the flower merchants, they have not paid any land conversion fee as on 13.07.2023, but constructed the flower market in the subject site.


16/1/25
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.

Writ Petition:

A writ petition was filed in Hon'ble AP High Court in W.P No.5412/2023 by Sri J.V.Krishna Reddy and 79 others keeping the Principal Secretary (Municipal and Urban Development Department), Commissioner (Tadepalli Municipal Corporation), Town Planning Officer (Mangalagiri, Tadepalli Municipal Corporation) as 1st, 2nd, 3rd respondents and Assistant Executive Engineer, RC Section, Vallabhapuram as 4th respondent and prayed the Hon'ble High Court to issue directions not to demolish the temporary sheds of the petitioners constructed at Sy.No.39/1 and 40, abutting to Aventura Sports Club, Vijayawada Club Road, Tadepalli and Sri Chippada Leela Venkata Maruthi Rao S/o Narayana Rao filed a W.P.(PIL) No.35/2023 before the Hon'ble High Court of A.P regarding the same issue. **The case is currently under purview of Hon'ble High Court of Andhra Pradesh.**

In view of the above circumstances, the Joint committee found that:

1. The construction is illegal and has been done without any permission from Mangalagiri Tadepalli Municipal Corporation or River Conservancy Department or CRDA.
 2. No conversion applied from Revenue Department.
 3. Construction is within Krishna River Flood Zone.
 4. As per the farmers of Flower Market case, they are operating 10-15 shops out of 80 currently.
 5. No drainage connection provided for constructed toilets.
 6. Possibility of pollution of the river is there due to dumping of flower waste in the future.
 7. Action will be initiated against the unauthorized construction & Operation of Flower Market subjected to outcome of WP No.5412/2023 of Hon'ble High court of Andhra Pradesh.
 8. As per farmers of the association, the Writ Petition is a motivated WP filed by Vijayawada Flower Market farmers to stop competition.
4. Earlier the Executive Engineer & River Conservator, Krishna addressed a letter vide letter No.173M,dt.16.02.2023 to the Commissioner, Mangalagiri Tadepalli Municipal Corporation, Mangalagiri informing that the said flower market construction works beside the Krishna Right Flood Bank towards River side are being taken up without any permission from the River conservator, Krishna. The unauthorized construction is being continued despite of the notices issued by the Irrigation department. Therefore, the Commissioner, Mangalagiri Tadepalli Municipal Corporation, Mangalagiri was requested to stop the construction and remove the unauthorized construction of Flower market beside Krishna Right Flood Bank.
 5. In response Mangalagiri - Tadepalli Municipal Corporation has initiated action on unauthorized construction and dismantled certain ongoing construction works such as partition walls.

Dr. H. V. Ram
16/1/25
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.

6. APPCB submitted the joint inspection report to the Hon'ble NGT, Principal Bench, New Delhi on 01.08.2023. The copy of Joint Inspection report is attached for favour of kind information.
7. In the meantime, Collector & District Magistrate, Guntur communicated joint inspection report to Member Secretary, AP Pollution Control Board with a copy marked to i) the commissioner, MTMC, Mangalagiri with a direction to file counter in Writ Petition (PIL) No.35 of 2023 which is pending before the Hon'ble High Court of Andhra Pradesh, Amaravati, It is also directed to pass final orders in pursuance of the notices issued to the petitioners and the explanation filed by the petitioners to the said notices in obedience of the Hon'ble High Court order dt.06.03.2023 in I.A No. 1 of 2023 in W.P.No.5412 of 2023 filed by Sri Jakkireddy Venkata Krishna Reddy and 77 others, ii) the Tahsildar, Tadepalli with a direction to file counter in Writ Petition (PIL) No.35 of 2023 which is pending before the Hon'ble High Court of Andhra Pradesh, Amaravati.
8. The Hon'ble NGT, Principal Bench, New Delhi vide order dt.04.10.2023 in M.A. No.96/2023 in Original Application No.331/2023 stated that the matter relates to the Southern Zone Bench of the Tribunal, therefore , it is transferred to Southern Zone Bench for taking further appropriate action. The MA is accordingly disposed of for re-registration at the Southern Zone Bench.
9. Hon'ble National Green Tribunal (NGT), Southern Zone, Chennai issued order in M.A. No.02/2024(SZ) in O.A.No.331 of 2023 (PB), dt: 22.03.2024 in the matter of Atluri Srinivasa Rao Versus Andhra Pradesh Pollution Control Board Rep.by its Member Secretary, Vijayawada and others as follows:

“

1. ***This application is regarding the illegal construction of the flower market within the Krishna River Flood Zone.***
2. ***There is already a direction from the Municipal Corporation to demolish the unauthorized construction which is stayed by the Hon'ble High Court of Andhra Pradesh in W.P. (PIL) No. 35 of 2023.***
3. ***The report of the Joint Committee states that the construction is within the Krishna River Flood Zone and out of 80 shops, 15 shops are already in operation.***
4. ***What is worrisome is there is no drainage connection provided for constructed toilets and there is a possibility of pollution on the river due to the dumping of flower waste in future”***
5. ***So, in such circumstances, we direct the Andhra Pradesh Pollution Control Board (APPCB) to cause an inspection, take appropriate action immediately and file its report before the date of the next hearing. “***
6. ***Post the matter on 18.04.2024.***

M. Srinivasan
16/1/25

ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.

10. In view of the above, it is to submit that the Hon'ble High Court of Andhra Pradesh in W.P.No.5412/2023 issued interim Order dt.06.03.2023 as follows :

"So, till the final order is passed after considering the explanation of the petitioners, there shall be interim direction to respondents not to take any coercive steps of demolishing the sheds in question till the next date of hearing. The petitioners are also directed not to make any further construction relating to the said sheds or to create any third party interest in respect of the said sheds or the land in question on which the sheds are constructed, till the next date of hearing".

11. The Hon'ble High Court of Andhra Pradesh in W.P No.5412/2023 issued extension of interim Order dt.04.05.2023 is as follows :

"Interim order granted earlier is extended till the next date of listing".

The Writ Petition is pending before the Hon'ble High Court of Andhra Pradesh.

12. W.P No.5412/2023 & Writ Petition (PIL) No.35 of 2023 are pending before the Hon'ble High Court of Andhra Pradesh. W.P No.5412/2023 & Writ Petition (PIL) No.35 of 2023 are pertains to local authorities. APPCB is not a respondent in both the petitions. The commissioner, MTMC, Mangalagiri has to file counter in Writ Petition (PIL) No.35 of 2023 which is pending before the Hon'ble High Court of Andhra Pradesh, Amaravati and the Tahsildar, Tadepalli has to file counter in Writ Petition (PIL) No.35 of 2023 which is pending before the Hon'ble High Court of Andhra Pradesh, Amaravati.

13. In view of the above, APPCB, RO, Guntur addressed letters to Commissioner, MTMC and Tahsildar, Tadepalli with a request to take necessary action as the issue comes under the jurisdiction of Commissioner, Mangalagiri Tadepalli Municipal Corporation and Tahsildar, Tadepalli and further requested to communicate the action taken report to APPCB, RO, Guntur. Copies of the letters addressed to Commissioner, Mangalagiri Tadepalli Municipal Corporation and Tahsildar, Tadepalli, Guntur District is herewith attached for favour of kind information.

Current status:

1. The Andhra Pradesh Pollution Control Board (APPCB) has filed report before Hon'ble National green Tribunal.
2. Hon'ble National Green Tribunal (NGT), Southern Zone, Chennai issued order in M.A. No.02/2024(SZ) in O.A.No.331 of 2023 (PB), dt: 20.09.2024 in the matter of Atluri Srinivasa Rao Versus Andhra Pradesh Pollution Control Board Rep.by its Member Secretary, Vijayawada and others as follows:

Atchannaidu Srinivasulu Reddy
16/11/25
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.

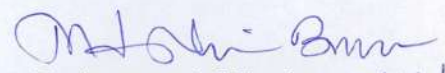
1. **The learned counsel appearing for the State of Andhra Pradesh is directed to verify whether any contempt petition is filed before the Hon'ble High Court of Andhra Pradesh. Otherwise, the State Government is directed to file a report as to why the unauthorized constructions are continuing on the river bund of Krishna.**
2. **Post the matter on 14.11.2024.**
3. In view of the above, it is to submit that officials of APPCB, RO-Guntur inspected the flower market on 06.01.2025 and observed the following:
 - a) The Flower Market with 80 Nos. petty shops was constructed on the name of Raithu Mitra whole sale Flower Merchant Welfare Association at Sy.No.39-1 & 40, Tadepalli village, Vijayawada club road at Krishna River Right Flood bank in the village limits of Tadepalli, Guntur district.
 - b) At the time of inspection it was observed that only 4 shops were in operation out of 80 shops.
 - c) The Flower market has constructed 4 number of wash rooms with septic tank followed by soak pit for disposal of domestic waste water.
 - d) Waste Collection bin was provided at flower market and the unsold / spoiled flowers are collected and storing in the bin. The farmers are also informed that later the waste generated is using as manure for the nearby agriculture lands and not disposing into River Krishna.
 - e) During inspection, no discharge of waste water was observed from the flower market.
4. The surroundings were inspected and found that no discharges of flowers / dumps of unsold flowers were observed.
5. It is further to submit that the activity of establishment of flower market does not come under consent management of APPCB. Hence APPCB has not issued any consents / clearances to their activity.
6. Copies of the photographs taken during the time of inspection are herewith appended for kind perusal.

The APPCB will abide by all such directions as this Hon'ble tribunal may deem fit and appropriate.

Submitted.

Place: Guntur

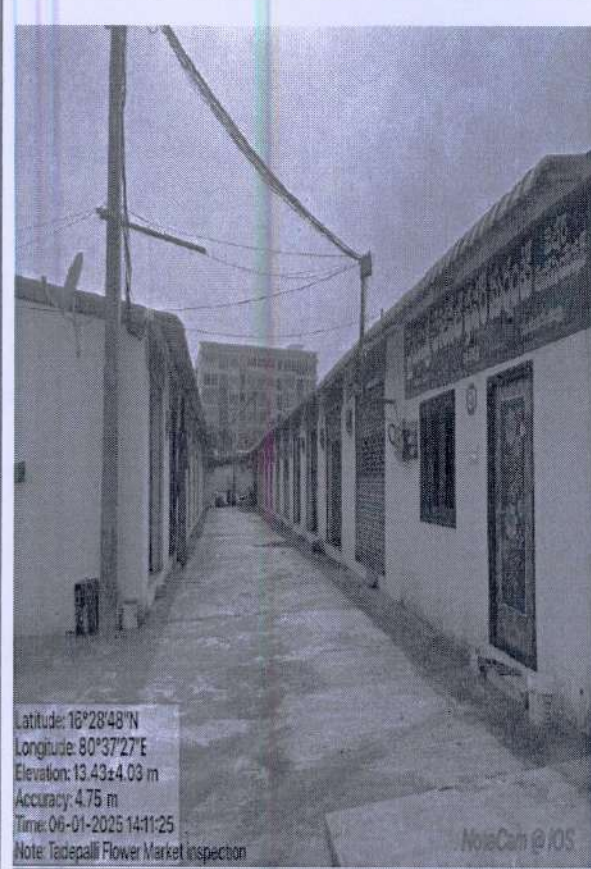
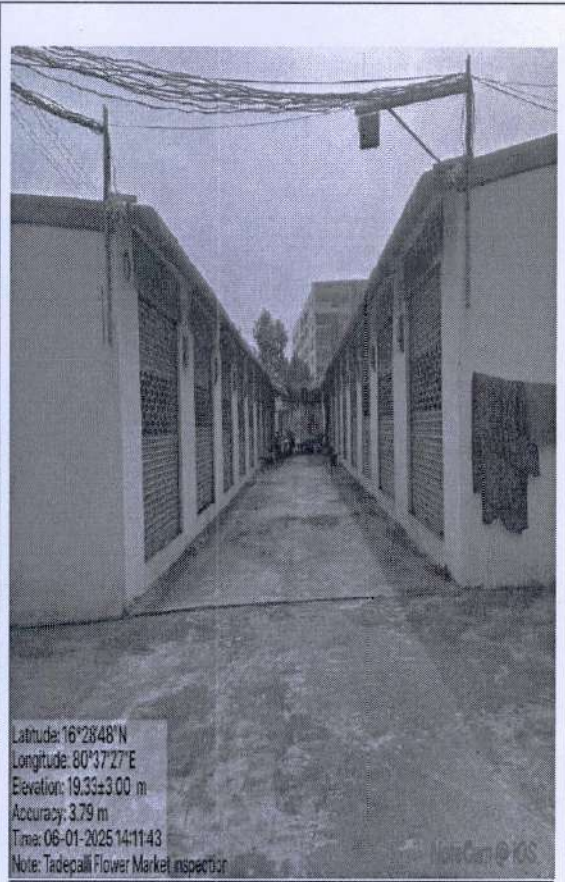
Date: 16.01.2025


Environmental Engineer 16/1/25

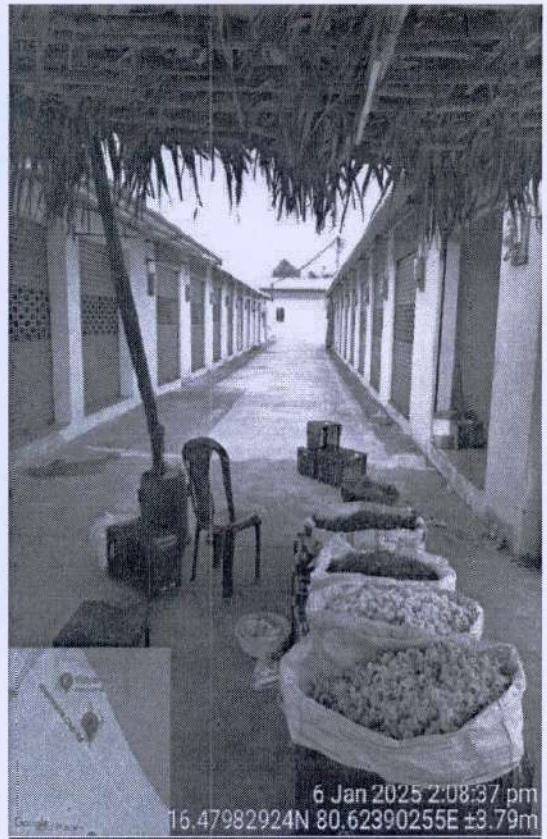
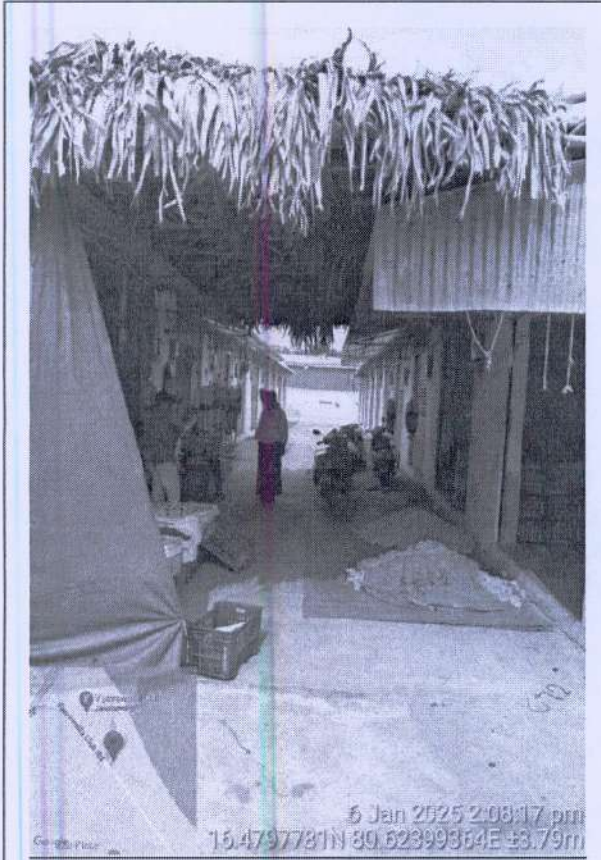
APPCB, RO, Guntur

ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.

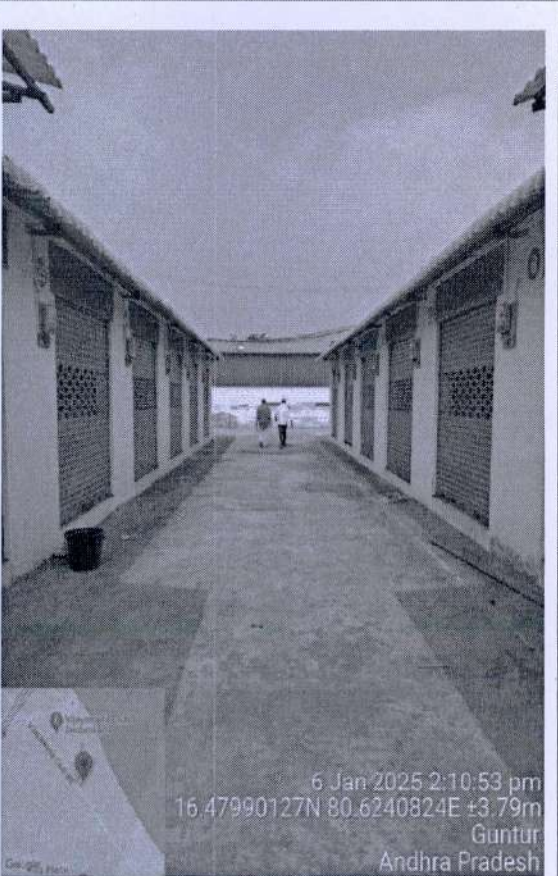
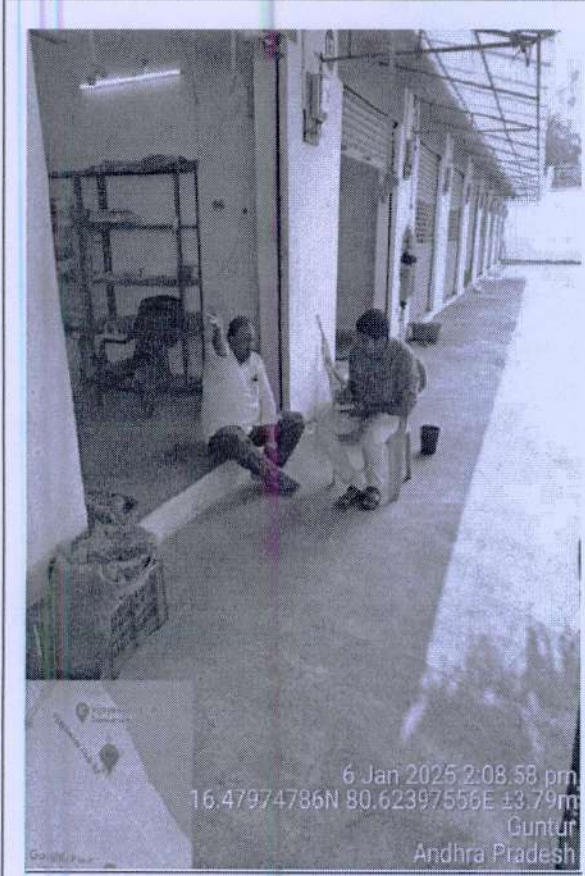
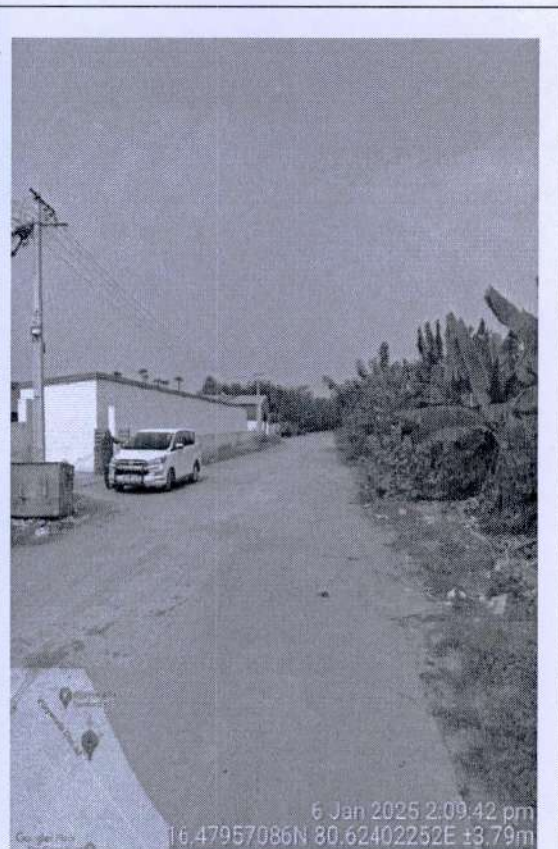
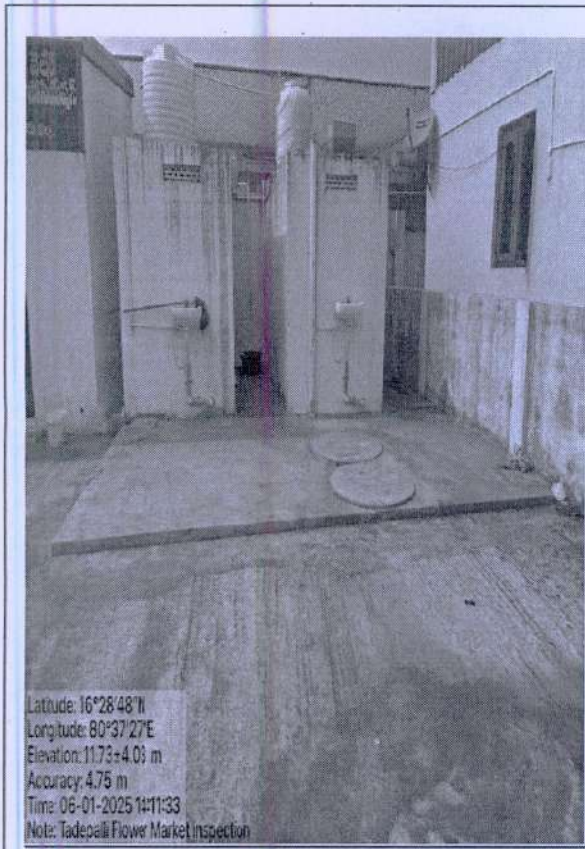
PHOTOGRAPHS OF FLOWER MARKET



Manjiv Bani
 16/1/25
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.



M. Srinivasan
16/1/25
ENVIRONMENTAL ENGINEER
A.P. POLLUTION CONTROL BOARD
REGIONAL OFFICE, GUNTUR.



Dr. Anil Kumar
 16/1/25
 ENVIRONMENTAL ENGINEER
 A.P. POLLUTION CONTROL BOARD
 REGIONAL OFFICE, GUNTUR.

Item No.02 & 03:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

**Miscellaneous Application No.02 of 2024 in
Original Application No.331 of 2023 (SZ)**

[Earlier M.A. No. 96/2023 (PB)]

WITH

Original Application No.143 of 2021(SZ)

IN THE MATTER OF:

Sri Atluri Srinivasa Rao

...Applicant(s)

Andhra Pradesh Pollution Control Board,
Rep. by its Member Secretary,
Vijayawada and Ors.



...Respondent(s)

With

Tribunal on its own motion SUO MOTU
based on the news item in Eenadu
Newspaper, edition dt: 12.06.2021,
"Dredging along the embankments of
Krishna River to be stopped".

And

The Chief Secretary to Government of Andhra Pradesh,
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 14.11.2024.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER

HON'BLE Dr. VIJAY KULKARNI, EXPERT MEMBER

M.A. No.02/2024(SZ):

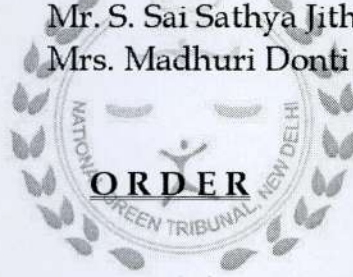
For Applicant(s): None.

For Respondent(s): Mr. S. Sai Sathya Jith represented
Mrs. Madhuri Donti Reddy for R1 to R3.

O.A. No.143/2021 (SZ):

For Applicant(s): Suo Motu.

For Respondent(s): Mr. S. Sai Sathya Jith represented
Mrs. Madhuri Donti Reddy for R1 to R9.



1. From the side of Respondents No.1 to 3, the learned counsel Mr. S. Sai Sathya Jith holding brief on behalf of Mrs. Madhuri Donti Reddy has appeared and seeks time to file the report, which was required to be submitted as per the previous order of this Tribunal dated 20.09.2024.
2. The learned counsel prayed for two weeks time to be allowed and the same is allowed by way of last opportunity.

3. List the matter on 17.01.2025 for further consideration.

Sd/-
Justice Dinesh Kumar Singh, JM

Sd/-
Dr. Vijay Kulkarni, EM

M.A. No.02/2024 (SZ) in
O.A. No.331/2023 (PB) &
O.A. No.143/2021(SZ)
14th November, 2024. Mn.



Item No.04 & 05:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

**Miscellaneous Application No.02 of 2024 in
Original Application No.331 of 2023 (SZ)**

Earlier M.A. No. 96/2023 (PB)

With

Original Application No.143 of 2021(SZ)

IN THE MATTER OF:

Atluri Srivasa Rao.

...Applicant(s)

Versus

Andhra Pradesh Pollution Control Board,
Rep. by its Member Secretary,
Vijayawada and Ors.

...Respondent(s)

With

Tribunal on its own motion SUO MOTU
based on the news item in Eenadu
Newspaper, edition dt:12.06.2021,
"Dredging along the embankments of
Krishna River to be stopped".

And

The Chief Secretary to Government of Andhra Pradesh,
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 20.09.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

M.A. No.02/2024(SZ):

For Applicant(s): None.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R3.

O.A. No.143/2021 (SZ):

For Applicant(s): Suo Motu.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R9.

ORDER

1. The learned counsel appearing for the State of Andhra Pradesh is directed to verify whether any contempt petition is filed before the Hon'ble High Court of Andhra Pradesh. Otherwise, the State Government is directed to file a report as to why the unauthorized constructions are continuing on the river bund of Krishna.
2. Post the matter on 14.11.2024.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

M.A. No.02/2024 (SZ) in
O.A. No.331/2023 (PB) &
O.A. No.143/2021(SZ)
20th September, 2024. AD.

Item No.7 & 8:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Miscellaneous Application No.02 of 2024 in
Original Application No.331 of 2023 (SZ)
Earlier M.A. No. 96/2023 (PB)

WITH

Original Application No.143 of 2021(SZ)

IN THE MATTER OF:

Atluri Srivasa Rao.

...Applicant(s)

Andhra Pradesh Pollution Control Board
Rep. by its Member Secretary
Vijayawada and Ors.

...Respondent(s)



Tribunal on its own motion **SUO MOTU** based on the news item in Eenadu Newspaper, edition dt:12.06.2021, "**Dredging along the embankments of Krishna River to be stopped**".

And

The Chief Secretary to Government of Andhra Pradesh,
Andhra Pradesh and Ors.

...Respondent(s)

Date of hearing: 28.08.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

M.A. No.02/2024 (SZ):

For Applicant(s): None.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R3.

O.A. No.143/2021 (SZ):

For Applicant(s): Suo Motu by Court.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 to R9.

ORDER

1. The Andhra Pradesh Pollution Control Board (APPCB) has filed its report, wherein they have referred to the Writ Petition No.5412 of 2023 filed before the Hon'ble High Court of Andhra Pradesh, seeking mandamus not to demolish the temporary sheds of the petitioner therein constructed in Survey Nos.39/1 and 40.

2. In the said Writ Petition, on 06.03.2023, an interim order was passed by the Hon'ble High Court of Andhra Pradesh, which is as follows:-

"Heard learned counsel for the petitioner, Sri M.Manohar Ready, learned Standing Counsel for respondent Nos.2 and 3 and learned Government Pleader for Irrigation appearing for respondent No.4.

About three notices were issued to the petitioners for which the petitioners have also submitted their explanation to the same. No final orders are passed by the competent authority. Therefore, after considering the explanation submitted by the petitioners, still final orders are yet to be passed by the respondents.

So, till the final order is passed after considering the explanation of the petitioners, there shall be interim direction to respondents not to take any coercive steps of demolishing the sheds in question till the next date of hearing. The petitioners are also directed not to make any further construction relating to the said sheds or to create any third party interest in respect of the said sheds or the land in question on which the sheds are constructed, till the next date of hearing."

3. The APPCB has stated further that the Commissioner - Mangalagiri Tadepalli Municipal Corporation (MTMC) was directed to file a counter in the above-referred Writ Petition and to vacate the interim order not to demolish the structures already put up.

4. The learned counsel appearing for the State of Andhra Pradesh would state that there are constructions put up despite the order of the Hon'ble High Court of Andhra Pradesh. If that is factually correct, then the State of Andhra Pradesh can file a contempt petition and bring it to the knowledge of the Hon'ble High Court about the violation of the order passed.

5. Pot the matter on 20.09.2024.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

M.A. No.02/2024 (SZ) in
O.A. No.331/2023 (PB),
O.A. No.143/2021 (SZ)
28th August, 2024. Mn.

