

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

Original Application No 109 OF 2022

IN THE MATTER OF:

SRI KOPPULA MADHUBABU

..... Applicant

Vs

STATE OF ANDHRA PRADESH & OTHERS

.... Respondents

COUNTER FILED BY THE COLLECTOR 5th RESPONDENT

DATE- 26.11.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH AT CHENNAI
ORIGINAL APPLICATION No. 109 of 2022**

Between:

1. Sri Koppulamadhubabu,
S/o: Prakasarao, Aged 29 Years,
Occ: Cultivation, R/o. Revendrapadu,
H/o Thummapudi Revenue Village,
Duggirala Mandal, Guntur District, Pin-523330.
Email: madhubabukoppula5@gmail.com
Phone: 8328083675

.... Applicant

VS

1. State of Andhra Pradesh, rep, by its
Principal Secretary, Revenue Department,
Secretariat, Amaravathi, Guntur District - 522020
Email:-spls-rev@ap.gov.in
2. State of Andhra Pradesh, rep, by its
Principal Secretary, Water Resource Department,
Secretariat, Amaravathi, Guntur District - 522020
Email:-spls-wrd @ap.gov.in
3. State of Andhra Pradesh, rep, by its
Principal Secretary, Panchayatraj & Rural Department,
Secretariat, Amaravathi, Guntur District - 522020
Email:-prlsecy-pr @ap.gov.in
4. State of Andhra Pradesh, rep, by its
Principal Secretary, Environment, Forest,
Science and Technology,
Secretariat, Amaravathi, Guntur District - 522020
Email:-spls-efst @ap.gov.in
5. The District Collector,
Guntur District, Collectorate Buildings,
Guntur Town & District
Andhra Pradesh - 522001.
Phone: 789385551
Email:-collectorgntr@ap.gov.in
6. The Chief Engineer, Delta system
Vijayawada, Krishna District,
Andhra Pradesh - 521001.
Phone: 8790999939
Email:-cekdsuja@gmail.com
7. The Superintending Engineer,
Guntur Irrigation Circle,
Guntur Town & District AP - 522001.
Phone: 9440814947,
Email:-seirregationcircle@gmail.com
8. The Executive Engineer,
K W Division, Tenali, Guntur District,
AP - 522201.
Phone: 7901093255, Email: -eekwdtenali@gmail.com
9. The District Panchayat Officer,
Guntur District, Andhra Pradesh - 522001.
Phone: 957366468, Email: -dpoguntur@rediffmail.com



Deponent
**COLLECTOR & DISTRICT MAGISTRATE
GUNTUR.**

10. The Sub- Collector
Tenali Revenue Division,
Tenali Town, Guntur District,
11. The Tahsildar, Duggirala Mandal,
Duggirala, Guntur District - 522002.
Phone: 7032929351, Email: -tahsildar.dgrl@gmail.com
12. Dy. Executive Engineer,
Panchayatraj & Rural Development,
Mangalagiri Town & Mandal,
Guntur District, Andhra Pradesh - 522503.
Phone: 9440441559, Email: -prisdmandalagiri@gmail.com
13. The Gramapanchayat,
Rep. by its Secretary,
Revendrapadu Village, Duggirala Mandal,
Guntur District, Andhra Pradesh - 522330.
Phone: 9701368615, Email: - sarathmogili@gmail.com

... Respondents

COUNTER FILED BY THE DISTRICT COLLECTOR R-5

I, Nagalakshmi.S W/o M. Naveen aged about 35 years, I am the District Collector of Guntur, Andhra Pradesh, do here by solemnly and sincerely affirm and make oath and state as follows: -

1. I am the 5th Respondent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies each averment made in the affidavit filed in support of the Original Application are as false and incorrect except those that are specifically admitted herein in this counter affidavit.
3. It is submitted that Sri K. Madhu Babu S/o Prakasa Rao resident of Revendrapadu village of Duggirala Mandal of Guntur District filed an O. ANo.109 of 2022 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai with a request to direct the respondents not make any constructions situated in Sy.No252 and 254 of Revendrapadu Village H/o Thummapudi Revenue village and pass appropriate orders as deems fit.
4. It is submitted that, the District Collector issued instructions to the Sub-Collector, Tenali and Tahsildar, Duggirala to conduct enquiry and submit detailed report.
5. It is submitted that the Sub-Collector, Tenali conducted enquiry and submitted a report vide reference 4th cited above stating that :
 - a) In the year 2021, the Government have taken up a policy decision for construction of the Village Secretariats, Raitu Bharosa Kendrams, Anganwadi Centers etc., in respect of all villages of the state and instructed



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- all the District Collectors to identify suitable lands within the vicinity of Grama Kantam areas and construct the same for public purposes. Pursuant thereto, the Tahsildar, Duggirala Mandal identified an extent of Ac.0.31 cents in Sy.Nos. 252 & 254 of Revendrapadu Village H/o
- b) Thummapudi Revenue village in Duggirala Mandal as the subject lands are adjacent to the Veterinary Hospital exists on ground and also adjacent to Grama Kantam and the Tahsildar, Duggirala Mandal handed over the possession of the said lands to the respective departmental authorities concerned for construction of aforementioned buildings.
 - c) After adjudicating the matter, the Hon'ble National Green Tribunal, Southern Zone, Chennai granted '**status quo**' orders dated 30-09-2022, soon after receipt of the aforementioned National Green Tribunal, Southern Zone, Chennai orders dated 30-9-2022, the District Collector, Guntur also issued instructions to the Sub-Collector, Tenali and the Tahsildar, Duggirala vide Rc.No.4002/2020-E1, dated 11-11-2022 to implement the aforementioned orders and report compliance.
 - d) The report 20-11-2024 of the Assistant Engineer, Panchayat Raj Department, Duggirala Mandal also shows that after receipt of orders dated 30-9-2022, they did not undertake any work relating to construction of aforementioned buildings and stopped the said works.
 - e) Thereafter, Sri Cherukuri Siva Nageswara Rao resident of Revendrapadu village filed a W.P.No.27125 of 2021 on the file of the Hon'ble High Court of A.Pin the same subject matter.
 - f) The Hon'ble High Court of A.P., passed orders Dt.18.11.2022 duly allowing the petition and directed the respondents not to construct the Grama Sachivalayam in an extent of Ac.0-10 cts., out of the total extent of Ac.39.82 cts., in S.No.254 of Revendrapadu village of Duggirala mandal, Guntur District."
 - g) In pursuance of the orders dated 18.11.2022 of the Hon'ble High Court, the District Collector, Guntur also issued instructions to the Sub-Collector, Tenali and the Tahsildar, Duggirala directing to implement the orders of the Hon'ble High Court vide Rc.No.3554/2022-E1, Dated 26.03.2023.
 - h) The Tahsildar, Duggirala finally submitted that, as per report of the Assistant Executive Engineer, Panchayat Raj Department, Duggirala, the construction work has been stopped by the Panchayatraj Department authorities pursuant to the orders dated 30.09.2022 passed by the Hon'ble National Green Tribunal, Southern Zone, Chennai.



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- i) The Sub-Collector Tenali finally requested to take further action in the matter to submit report to the Hon'ble National green Tribunal, Chennai.
6. It is submitted that, Pursuant to the aforementioned orders of the Hon'ble National Green Tribunal, Southern Zone, Chennai as well as Hon'ble High Court of A.P., no constructions were taken up by the Engineering Department authorities.
7. In the above said circumstances, it is finally submitted that the proposal of construction of Village Secretariat, Rythu Bharosa Centre, YSR Health Wellness Centre in Revendrapadu village of Duggirala Mandal of Guntur district is dropped. Therefore, the Hon'ble National Green Tribunal may be pleased to close the O.A., in the circumstances of this case. The connected record of enquiry also herewith submitted for kind perusal of the Hon'ble Tribunal.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above O.A No. 109 of 2022 and pass such further or other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.



Deponent

**COLLECTOR & DISTRICT MAGISTRATE
GUNTUR.**

Solemnly affirmed Guntur
Andhra Pradesh on
this the 26th day of November, 2024
and signed his name in my presence

BEFORE ME

Advocate



VERIFICATION

I, Nagalakshmi.S W/o M. Naveen, aged about 35 years, I am the District Collector of Guntur, Andhra Pradesh, do here byverify that the contents of Para's of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 26th day of November 2024 at Guntur.



Deponent
COLLECTOR & DISTRICT MAGISTRATE
GUNTUR.