

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTH ZONE BENCH; CHENNAI**

**O.A. No. 86 of 2024**

Jakkamsetti Baburao

...Petitioner

-Vs-

Andhra Pradesh Pollution Control Board,  
And 18 others.

...Respondents

**REPLY FILED ON BEHALF OF THE RESPONDENTS No. 5 TO 19**

The address for services on the Respondents No. 5 to 19 is that of their counsel M/s. V. Ramana Reddy, V. Chandrasekara Reddy, M. Dhayalan, Ramachandra Rao Sanku, and G. Sambath Kumar, Advocates, having office at No. 2, Francis Joseph Street, Room No. 205, 2<sup>nd</sup> Floor, Chennai – 600 001.

1) It is submitted that the 5<sup>th</sup> Respondent herein is one of the Brick Kiln unit owner and as such he is well acquainted with the facts of the case and as such the issue pertaining to the Brick Kiln units at Mogalthur Gram Panchayat, Mogalthur Mandal, West Godavari District, Andhra Pradesh. The 5<sup>th</sup> Respondent craves leave of this Hon'ble Tribunal to file the reply on behalf of the Respondents No. 6 to 19.

2) At the outset, it is submitted that the present application is a motivated one and it is filed with mala fide intention without any basis by knowingly making false, frivolous and incorrect statements. It is an utter disregard of facts and therefore the application is liable to be dismissed in limine.

3) The principal allegation in the O.A. is that the Respondents' brick kilns are operating illegally and causing environmental pollution, thereby affecting the Applicant's health. The said allegation is unfounded. The Applicant resides

*P. Kalshma*

nearly 5 kilometres away from the kilns, which are located on the outskirts of the village. There is no credible evidence linking any ailment of the Applicant to the Respondents' activities. The Applicant suffers from pre-existing heart and chronic ailments, as is evident from his own records. No complaints have been received from any other villager against the Respondents' operations.

4) The O.A. has been filed with the ulterior objective of extracting money from the Respondents. The Applicant is a habitual litigant, using legal proceedings to threaten and pressurize parties into relinquishing property. Such conduct constitutes a gross misuse of judicial remedies. The present application is not only a grave misuse of sanctity of judicial remedy, but also can be misused by the Applicant against the bona fide persons like the Respondents, just to serve his hidden mala fide intention and other vested interest.

5) It is submitted that the Applicant is not an "aggrieved person" within the meaning of Section 18(2)(a) & (b) of the National Green Tribunal Act, 2010, and has failed to demonstrate bona fides.

6) It is submitted that the Applicant has suppressed material facts. He purchased land from the 17th Respondent in the name of his sons (Document No. 2769/2021) with the intent to establish a brick kiln business. After securing the property under assurances of cooperation, he initiated multiple civil proceedings on false grounds against the 17th Respondent, which are pending before the Courts at Narasapur. His criminal complaint was closed after due inquiry by the police. This conduct underscores the mala fide nature of the present proceedings by hiding crucial facts and hence the O.A. is liable to be dismissed.

7) It is submitted that the Respondents No. 5 to 19 belong to the "Udayar" pottery community, which migrated from Karnataka during the Krishnadevaraya Era. For over 300 years, they have pursued their traditional occupation of making earthenware, including bricks. Their brick kiln is a clump unit operations are

P. Kodshma

seasonal, historically conducted approximately 2 km away from habitation, and have always complied with licensing requirements, electricity connections, and professional tax obligations recognized by the Gram Panchayat and the respondents are doing the brick kiln units in a traditional way which does not cause harm to the habitants in the nearby areas.

8) In view of the above, The Applicant's actions are intended to acquire the Respondents lands at throwaway prices. When the Respondents are not surrendered to the Applicant, he filed the present application before this Hon'ble Tribunal only to harass the Respondents. The brick kiln is located approximately 1,000 metres from habitation, surrounded by vacant and agricultural lands. Even the kiln emissions disperse into water vapour without environmental impact. The kilns are situated far from residential areas, schools, and hospitals, and pose no risk to local flora or fauna. Operations are seasonal, lasting only 2–3 months annually.

9) It is submitted that initially the Applicant has given complaint to local authorities, i.e. the 3<sup>rd</sup> Respondent herein. After receiving notices from the authorities, the Respondents herein stopped their brick making works in the said units before filing of this Original Application. Coming to various allegations in this application, it is submitted as follows –

Specific replies to the allegations in the O.A.:

Para (1): The claim of health damage and a demand for ₹20,00,000 compensation is baseless, unethical, and illegal.

Para (2): The statement that the Applicant is a private school teacher is false. He runs a private school far from the Respondents' units and has never been affected by them.

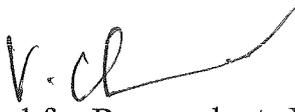
P. K. Sharma

Para (3): The allegations are general and vague. In C.A. No. 66 of 2024, the Applicant made false claims of a “public health crisis” without disclosing that the brick kiln is presently non-functional and not producing pakka bricks. The kiln is situated over 1000 metres outside the village panchayat limits, and several agriculturists have given written consent confirming no adverse impact on cultivation.

10) It is submitted that, the application is a clear abuse of process of law and Tribunal, as such it is filed with a mala fide intention and ulterior motive, and therefore ought to be dismissed on all the above grounds.

11) It is therefore most respectfully prayed that the present original application in O.A. No. 86 of 2024, may be dismissed for the reasons stated above with costs, and pass such other or further orders as this Hon’ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai, on this the 12<sup>th</sup> day, August, 2025

  
Counsel for Respondents No. 5 to 19

**VERIFICATION**

I, P. Krishnaiah, son of P. Apparao, the 5<sup>th</sup> Respondent herein, and on behalf of other Respondents No. 6 to 19, do hereby declare that the contents of the Counter are true and correct to the best of my knowledge, belief and information.

Verified at Chennai, on this the 12<sup>th</sup> day of August, 2025

  
5<sup>th</sup> Respondent



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THE RESPONDENTS No. 5 TO 19**

M/s. V. Ramana Reddy, MS105/1991  
V. Chandrasekara Reddy, MS 212/1998  
M. Dhayalan, MS 2711/2008  
Ramachandra Rao Sanku, AP 538/2020  
G. Sambath Kumar, MS 6309/2021

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