

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

**OA No 33 OF 2025**

**IN THE MATTER OF:**

**MR DUVVUR REDDY**

..... Applicant

**Vs**

**STATE OF ANDHRA PRADESH DEPARTMENT OF ENVIRONMENT FOREST SCIENCE AND  
TECHNOLOGY REP BY ITS SECRETARY & ORS**

.... Respondents

**REPORT FILED BY THE 3<sup>rd</sup> RESPONDENT APPCB**

**DATE - 31.10.2025**



**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.**

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
ORIGINAL APPLICATION NO. 33 of 2025 (SZ)  
IN O.A. No.1351 of 2024(PB)

Report in compliance with Hon'ble NGT O.A. No. 33 of 2025 (SZ) filed by Sri Devuru Rakesh Reddy on illegal excavation of soil from the SwarnamukhiRiver Bed at Chillakallu Village, Pellakuru Mandal, Tirupati District.

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*C. Raj Selvar*  
17/10/2025

ENVIRONMENTAL ENGINEER

AP Pollution Control Board,

Regional office, Tirupati

ENVIRONMENTAL ENGINEER

A.P. Pollution Control Board

Regional Office : TIRUPATI

Date. 17.10.2025

**Report in compliance with Hon'ble NGT O.A. No. 33 of 2025 (SZ) filed by Sri Devuru Rakesh Reddy on illegal excavation of soil from the SwarnamukhiRiver Bed at Chillakallu Village, Pellakuru Mandal, Tirupati District.**

It is submitted that Sri Devuru Rakesh Reddy, resident of Chillakallu Village, Pellakuru Mandal, Tirupati District, has filed a case at Hon'ble NGT (SZ) vide O.A. No. 33 of 2025(SZ) on illegal excavation of soil from the SwarnamukhiRiver Bed at Chillakallu Village, Pellakuru Mandal, Tirupati District.

Earlier, Sri Devuru Rakesh Reddy had also filed a Writ Petition at the Hon'ble High Court of Andhra Pradesh vide Writ Petition No. 8833/2024, making the following Departments / Officers as respondents, where the A.P. Pollution Control Board was not one of the respondents.

Sl.No.	Name of the Department / Officer
1.	The Principal Secretary, Irrigation Department
2.	The Chief Engineer, Major Irrigation (Water Resource Department)
3.	The District Collector, Tirupati
4.	The Executive Engineer, Irrigation Department
5.	The Superintendent Engineer, Water Resource Department, Nellore
6.	The Deputy Engineer, Irrigation Department, Naidupet, Tirupati Dt.,
7.	The Asst. Engineer, Irrigation Department, Naidupet, Tirupati Dt.,
8.	The Revenue Divisional Officer, Sullurpeta, Tirupati Dt.,
9.	The Tahsildar, Pellakuru Mandal.

Subsequently, the Hon'ble High Court vide Orders dated: 23.04.2024 disposed the writ petition stating that "the Respondents herein specifically directed to consider the representation of the petitioner dated 26.03.2024 forthwith and take steps to stop the illegal excavation as contended by the petitioner after due enquiry in accordance with las within a period of two weeks from the date of receipt of a copy of order." Copy enclosed as Annexure - II for kind perusal.

  
17/10/2025  
ENVIRONMENTAL ENGINEER  
A.P. Pollution Control Board  
Regional Office : TIRUPATI

The Board officials contacted the complainant, Sri Devuru Rakesh Reddy, on 12.08.2025. During the inspection, the complainant informed that, as per the orders of the Hon'ble High Court dt. 23.04.2024, no remedial action was taken by the concerned Departments for the reconstruction of the Swarnamukhi River bund from where the illegal excavation of soil occurred.

The Board officials have also inspected the alleged area on 12.08.2025 and observed that the soil had been excavated from the bund, which was originally constructed to prevent floods from affecting the surrounding villages during the rainy season. The Water Resources Department is the custodian of the river bunds and to take necessary action for its protection.

During the inspection, it was observed that there is currently no illegal excavation of soil taking place. The complaint has not been made against APPCB as a respondent in the WP filed before the Hon'ble High Court. Now, while filing an application before the Hon'ble NGT, he made APPCB a respondent. The APPCB has not issued any CTE / CTO for the excavation of the soil from the bund.

Date: 17.10.2025.

 17/10/2025

ENVIRONMENTAL ENGINEER  
A.P. Pollution Control Board,  
Regional office, Tirupati

ENVIRONMENTAL ENGINEER  
A.P. Pollution Control Board  
Regional Office : TIRUPATI

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IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)

[3329]

TUESDAY, THE TWENTY THIRD DAY OF APRIL  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 8833/2024

**Between:**

D Rakesh Reddy

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

**Counsel for the Petitioner:**

1.V VINOD K REDDY

**Counsel for the Respondent(S):**

1.GP FOR IRRIGATION COMM AREA DEV

2.GP FOR REVENUE

**The Court made the following Order:**

Heard Sri V. Vinod K Reddy, learned counsel for the petitioner and learned Government Pleader appearing for the respondents.

2. The brief facts of the case are that, the 10<sup>th</sup> respondent and others are digging and excavating the mud of the Swamamukhi River Bank for which the petitioner submitted representations finally on 26.03.2024 to the 3<sup>rd</sup> respondent and the other respondents concerned. Even after the

receipt of the said representation, the respondents neither replied by way of any proceedings nor stopped the illegal excavation of mud in respect of Swarnamukhi River Bank. Hence, filed the present writ petition.

3. Learned counsel for the petitioner submits that, the said illegal excavation of mud also reported in daily newspapers i.e., eenadu and other telugu diaries. Since, 10<sup>th</sup> respondent is the highly influential person, the respondents kept quiet and allowing the 10<sup>th</sup> respondent and henchmen for causing excavation of mud in the Swarnamukhi River Bank. If the said action is allowed to continue for further period, floods may occur and in the rainy season, the village of the petitioner and other abutting villages will be ruined.

4. In view of the same, the petitioner prays that, there shall be a direction for the respondents to restrain the illegal excavation of mud in respect of Swarnamukhi River Bank.

5. On the other hand, learned Government Pleader furnished a copy of written instructions dated 16.04.2024, issued by the Executive Engineer, Nellore South Division, Gudur, wherein it is stated as under:

"the petitioner Sri D. Rakesh Reddy submitted a representation to this office to take action on K. Satyanarayana Reddy who illegally excavated the flood bank of Swarnamukhi river in Chillakur village and used it for leveling land of his relative K. Venugopal Reddy in Sy.No.248/4 for an extent of 1.29 Ac in Chillakur village. The representation was forwarded to the concerned field staff i.e., DEE, AE of Vakadu Sub-Division to inquire and submit the detailed report to this office. But, the field staff couldn't submit their detailed report on this issue as all the field staff

are deployed in election duties. Hence, I request the Hon'ble High court to grant sufficient time on the above matter for conducting detailed inquiry on this issue."

6. On perusal of the written instructions, it reveals that, since, the Election schedule is going on, they are not in a position to take any action or to ascertain the information whether the alleged excavation of mud from the Swarnamukhi River Bank is taking place or not.

7. Having regard to the submissions made by both the learned counsel and on perusal of the written instructions of the 4<sup>th</sup> respondent, it appears that, the petitioner submitted his representation dated 26.03.2024 and specifically alleging that the 10<sup>th</sup> respondent and their henchmen are causing damage to the Swarnamukhi Flood Bank. Even though the said representation was received by the respondents, they kept quite all these days, but by way of written instructions, they took shelter that the field staff is involved in the election process pursuant to the election schedule issued on 16.03.2024. The instructions submitted by the 4<sup>th</sup> respondent are far away from the truth as the respondents are allowing the illegal activity of the excavation of mud from the Swarnamukhi River Bank/ Flood Bank by the unofficial respondents.

8. In view of the reasons stated above, the illegal excavation of mud should not be permitted, as the said Flood Bank was constructed with the funds of the Government to safeguard the abutting villages of the Swarnamukhi River. The said action of the respondents is very much

irresponsible and high-handed in nature as such, the said action shall be deprecated.

9. It is settled principle of law that without there being any valid permission, no person can be allowed either to excavate or to occupy the bund of any river or natural courses / streams and canals. Even though, this principle was enunciated time and again by the Hon'ble Apex Court as well as this Court in 'n' number of occasions, there is a specific allegation against Respondent No.10 who is excavating / digging the bund of Swarnamukhi River is contrary to the law and also against the public interest.

10. Therefore, the Respondents herein specifically directed to consider the representation of the petitioner dated 26.03.2024 forthwith and take steps to stop the illegal excavation as contended by the petitioner after due enquiry in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

11. With the above said direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions pending if any, shall stand closed.

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**VENKATESWARLU NIMMAGADDA, J**

Date: 23.04.2024

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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

W.P. No.8833 of 2024

23.04.2024

02.05.2024  
SCH

Annexure - II

