

FOR THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH
AT CHENNAI

Original Application No.33 OF 2025 (SZ)
(Earlier O.A. no.1351 of 2024 (FB) LP)

IN THE MATTER OF:

Duvvuru Rakesh Reddy,
Andhra Pradesh

.. Applicant

..Vs..

State of Andhra Pradesh,
Department of Environment,
Forest, Science & Technology,
Rep by its Secretary, Vijayawada
Aand Others.

... Respondents

REPORT OF SEIAA, ANDHRA PRADESH
RESPONDENT No.7

Date: 13.12.2025



M/S. K. RAVINDRANATH
ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
ANDHRA PRADESH POLLUTION CONTROL BOARD
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE BENCH AT CHENNAI**

**Original Application No. 33 of 2025
[Earlier O.A.No.1351/2024 (PB)LP]**

Between

Mr. Duvuru Rakesh Reddy
Andhra Pradesh

..... Applicant

Vs

State of Andhra Pradesh,
Dept. of Environment, Forest, Science & Technology
Represented by its Secretary,
Vijayawada & others.

.....Respondent

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It is certified that all the documents contained in the above annexure are true copies.

Date: 13.12.2025


**Member Secretary
SEIAA, AP**

**Report of SEIAA, A.P., submitted in compliance to the Hon'ble NGT (SZ) order
dt.04.11.2025, in Original Application No.33 of 2025 (SZ)**

It is to submit that Sri Duvuru Rakesh Reddy, resident of Chillakuru Village, Pellakuru Mandal, Tirupati District, has filed a case at Hon'ble NGT (SZ) on illegal excavation of soil from the Swarnamukhi River Bed at Chillakallu Village, Pellakuru Mandal, Tirupathi District.

After hearing the case, the Hon'ble NGT (SZ), Chennai, vide order dated.04.11.2025, issued directions as follows:

4. *As the State Level Environment Impact Assessment Authority - Andhra Pradesh is a necessary party to this proceeding, we suo motu implead them as additional Respondent No.7.*
5. *Let notice be issued to the respondents through the Tribunal.*
6. *The learned counsel Mr. K. Ravindranath accepts notice on behalf of Respondent No.7.*

Copy of the Hon'ble NGT(SZ) order is enclosed as **Annexure-1**

In this regard, earlier, Sri Duvuru Rakesh Reddy had also filed a Writ Petition at the Hon'ble High Court of Andhra Pradesh vide Writ Petition No. 8833/2024, wherein the State Level Environment Impact Assessment Authority (SEIAA), Andhra Pradesh, was not the respondent.

Subsequently, the Hon'ble High Court, vide Orders dated: 23.04.2024, disposed the writ petition stating that *"the Respondents herein are 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 laws, within*

a period of two weeks from the date of receipt of a copy of order.” Copy enclosed as **Annexure - 2** for kind perusal.

Now, the issue raised in the application No.33 of 2025 (SZ) is regarding illegal excavation of soil from the Swarnamukhi River Bed at Chillakallu Village, Pellakuru Mandal, Tirupati District. The Hon'ble NGT(SZ), Chennai implead the SEIAA, A.P., as additional Respondent No.7. In this regard it is respectfully submitted that the SEIAA, A.P., has not issued any Environmental Clearance for the excavation of the soil from the Swarnamukhi River Bed.

In this regard, it is to submit that the State Department of Mines and Geology is the Nodal Authority in the State dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (MMDR Act), 1957, and is entrusted with the enforcement and regulation of mining operations in the State including illegal mining. Further, the State Government is empowered under Section 23 C of the Mines and Minerals (Development and Regulation) Act 1957 (MMDR Act) to make rules for prevention of illegal mining, transportation and storage of minerals.

This report is submitted to the Hon'ble National Green Tribunal, in due compliance with the directions issued by the Hon'ble Tribunal. The SEIAA, A.P., will abide by all such directions, as the Hon'ble Tribunal may deem fit and appropriate.

Vijayawada,
dt: 13.12.2025


Member Secretary,
SEIAA, A.P.

**Member Secretary
SEIAA, AP**

Item No.07:-

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

[Through Physical Hearing (Hybrid Option)]

Original Application No. 33 of 2025 (SZ)

[Earlier O.A. No. 1351/2024(PB)LP]

IN THE MATTER OF:

Duvuru Rakesh Reddy,
Andhra Pradesh.

...Applicant(s)

Versus

State of Andhra Pradesh,
Department of Environment, Forest, Science & Technology,
Represented by its Secretary, Vijayawada and Ors.

...Respondent(s)

Date of hearing: 04.11.2025.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE DR. PRASHANT GARGAVA, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Mr. K. Ravindranath for R1 to R4 & R7.
Mr. S. Sai Sathya Jith for R5 & R6.

ORDER

1. Today, there is no representation for the applicant.
2. The report dated 31.10.2025 of the Andhra Pradesh Pollution Control Board is filed.
3. The learned counsel Mr. S. Sai Sathya Jith undertakes to file vakalat on behalf of Respondent No.5 and 6 and seeks time to file the reply.
4. As the State Level Environment Impact Assessment Authority - Andhra Pradesh is a necessary party to this proceeding, we suo motu implead them as additional Respondent No.7.
5. Let notice be issued to the respondents through the Tribunal.
6. The learned counsel Mr. K. Ravindranath accepts notice on behalf of Respondent No.7.
7. Post the matter on 15.12.2025. In the meanwhile, the respondents are directed to file their respective replies/reports.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Prashant Gargava, EM

O.A. No. 33/2025 (SZ)
04th November, 2025. AD.

APHC010175032024



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 10th respondent and others are digging and excavating the mud of the Swarnamukhi River Bank for which the petitioner submitted representations finally on 26.03.2024 to the 3rd 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, 10th respondent is the highly influential person, the respondents kept quiet and allowing the 10th 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 infirmation 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 4th respondent, it appears that, the petitioner submitted his representation dated 26.03.2024 and specifically alleging that the 10th 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 4th 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.

//TRUE COPY//

SD/- M. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Irrigation Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chief Engineer, Major Irrigation (Water Resources Department), Vijayawada, NTR District.
3. The District Collector, Tirupati, Tirupati District.

4. The Executive Engineer, Irrigation Department, Tirupati, Tirupati District.
5. The Superintendent Engineer, Water Resources Department, Nellore, SPSR Nellore District.
6. The Deputy Engineer, Irrigation Department, Naidupet, Tirupati District.
7. The Assistant Engineer, Irrigation Department, Naidupet, Tirupati District.
8. The Revenue Divisional Officer, Sullurupeta, Tirupathi District.
9. The Tahsildar, Pellakuru Mandal, Pellakuru, Tirupathi District.
- 11.K. Satyanarayana Reddy, S/o. Sundara Ramireddy, Aged 62 years, R/o. Chillakuru Village, Pellakuru Mandal, Tirupati District.
- 12.K. Venugopal Reddy, S/o. Venkureddy, Aged 50 years, R/o. Vidyanagar Village, Kota Mandal, Tirupati District
13. One CC to SRI. V VINOD K REDDY Advocate [OPUC]
14. Two CCs to GP FOR IRRIGATION, High Court of Andhra Pradesh. [OUT]
15. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
16. Three C.D. Copies

nm

HIGH COURT

DATED:23/04/2024

ORDER

WP.No.8833 of 2024



**DISPOSING OF THE WP
WITHOUT COSTS**