

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SHRI JUSTICE ANIL KUMAR JUKANTI**

PUBLIC INTEREST LITIGATION NO: 268 OF 2012

Between:

B.V.Hanumantha Reddy, S/o.B.Narasimha Reddy, Occupation Advocate,
resident of Plot No.93, Surya Enclave, Trimulgherry, Secunderabad

...PETITIONER

AND

1. The Government of Andhra Pradesh, Industries and Commerce (Mines-II) Department, Represented by its Principal Secretary, Secretariat Buildings, Hyderabad.
2. The Assistant Director of Mines & Geology, Nallakunta, Hyderabad - 44.
3. A.P.Pollution Control Board, represented by Its Member Secretary, Maitrivanam, Ameerpet, Hyderabad.
4. Hyderabad Metro Development Authority (HMDA), Represented by its Commissioner, Tarnaka, Hyderabad.
5. The Collector. Ranga Reddy District at, Lakdikapool, Hyderabad.
6. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District, Attapur, Rajendranagar, R.R.District.
7. The Tahsildar, Shamshabad Mandal, Ranga Reddy District.
8. The Deputy Commissioner of Police, Shamshabad, Cyberabad, R.R.District.
9. The Director General, Mines Safety Department, Hyderabad.
10. Hyderabad Stone Crusher Owners Association, Rep. by its Secretary, Opp. Dwaraka Hotel, Lakdikapool, Hyderabad.
11. M/s Padmavathi Metal Industries (Previously Known, As Madina Metal Industries) Rep By Mohammed Shabeer, S/o Md.Hafeez, Aged about 52 YEARS Occ Business R/o Kothwalguda(v) Shamshabad(m) R.R. Dist

(R 11 is impleaded as per Court Order dated 14-09-2012 in PILMP 416/2012)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Orders more particularly one in the nature of Writ of Mandamus declaring the action of Respondents 1 to 10 in not preventing the Quarrying operations carried on by the Quarrying Units in and around Himayathsagar and Osmansagar Lakes be declared as illegal, arbitrary and non-

exercising of statutory duties and violative of the directions issued by the 6th Respondent in Rc.No. J/1103/2006, dated 05-07-2006 as well as the provisions of the Environmental Protection Act and consequently direct the Respondents to take immediate action of preventing carrying out any Quarrying operations in and around Himayath Sagar and Osman Sagar Lakes.

I.A. NO: 1 OF 2012(PII.MP. NO: 352 OF 2012)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider the representation dated 06.03.2012 given to the Hyderabad Metropolitan Development Authority i.e., 4th respondent; pending disposal of the writ petition.

I.A. NO: 4 OF 2012(PII.MP. NO: 464 OF 2012)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased receive the documents filed along with this petition as additional documents in the above PIL No. 268 of 2012.

I.A. NO: 3 OF 2012(PII.MP. NO: 427 OF 2012)

Between:

M/s Padmavathi Metal Industries (Previously Known, As Madina Metal Industries) Rep By Mohammed Shabeer, S/o Md.Hafeez, Aged about 52 YEARS Occ Business R/o Kothwalguda(v) Shamshabad(m) R.R. Dist

...PETITIONER/RESPONDENT No.11

AND

1. B.V.Hanumantha Reddy, S/o.B.Narasimha Reddy, Occupation Advocate, resident of Plot No.93, Surya Enclave, Trimulgherry, Secunderabad

...RESPONDENT/PETITIONER

2. The Government of Andhra Pradesh, Industries and Commerce (Mines-II) Department, Represented by its Principal Secretary, Secretariat Buildings, Hyderabad.
3. The Assistant Director of Mines & Geology, Nallakunta Hyderabad - 44.
4. A.P.Pollution Control Board, represented by Its Member Secretary, Maitrivanam, Aneerpet, Hyderabad.
5. Hyderabad Metro Development Authority (HMDA), Represented by its Commissioner, Tarnaka, Hyderabad.
6. The Collector, Ranga Reddy District at, Lakdikapool, Hyderabad.

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

PIL No.268 of 2012

ORDER: (per the Hon'ble the Chief Justice Alok Aradhe)

Mr. Srinivas Polavarapu, learned counsel appears for the petitioner.

Mr. A. Vishnuvardhan Reddy, learned Standing Counsel for Telangana State Pollution Control Board appears for respondent No.3.

Ms. T.V. Sudha, learned counsel appears for Mr. V. Narasimha Goud, learned Standing Counsel for Hyderabad Metropolitan Development Authority for respondent No.4.

2. In this petition, which has been filed as Public Interest Litigation, the grievance of the petitioner pertains to illegal quarrying activities carried out by respondent No.11 in and around Osman Sagar lake.

7. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District, Attapur, Rajendranagar, R.R.District.
8. The Tahsildar, Shamshabad Mandal, Ranga Reddy District.
9. The Deputy Commissioner of Police, Shamshabad, Cyberabad, R.R.District.
10. The Director General, Mines Safety Department, Hyderabad.
11. Hyderabad Stone Crusher Owners Association, Rep. by its Secretary, Opp. Dwaraka Hotel, Lakdikapool, Hyderabad.

...RESPONDENTS

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the order passed in P.I.L.M.P.No.352 of 2012 in P.I.L.No.:268 of 2012 on dt: 29/08/2012.

Counsel for the Petitioner: SRI SRINIVAS POLAVARAPU

Counsel for the Respondent Nos.1,2 & 9: GP FOR MINES AND GEOLOGY

**Counsel for the Respondent No.3: SRI A.VISHNUVARDHAN REDDY, SC FOR
TSPCB**

**Counsel for the Respondent No.4: M/s. T.V.SUDHA FOR SRI V.NARASIMHA
GOUD, SC FOR HMDA**

Counsel for the Respondent Nos.5 TO 7: GP FOR REVENUE

Counsel for the Respondent No.8: GP FOR HOME

Counsel for the Respondent No.11: SRI M.GOVIND REDDY

Counsel for the Respondent No.10: --

The Court made the following: ORDER

3. The period of lease executed in favour of respondent No.11 has expired in the year 2013. Therefore, no order need be passed at this point of time. However, in case the illegal quarrying activities are still being carried out by respondent No.10 or any member of respondent No.11, it will be open for the petitioner to take recourse to such remedy as may be available to him in law.

4. With the aforesaid liberty, the petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Government of Telangana, Industries and Commerce (Mines-II) Department, Secretariat Buildings, Hyderabad.
2. The Assistant Director of Mines & Geology, Nallakunta, Hyderabad - 44.
3. Member Secretary, T.S.Pollution Control Board, Maitrivanam, Ameerpet, Hyderabad.
4. The Commissioner, Hyderabad Metro Development Authority (HMDA), Tarnaka, Hyderabad.
5. The Collector, Ranga Reddy District at, Lakdikapool, Hyderabad.
6. The Revenue Divisional Officer, Chevella Division, Ranga Reddy District, Attapur, Rajendranagar, R.R.District.
7. The Tahsildar, Shamshabad Mandal, Ranga Reddy District.
8. The Deputy Commissioner of Police, Shamshabad, Cyberabad, R.R.District.
9. The Director General, Mines Safety Department, Hyderabad.
10. One CC to SRI SRINIVAS POLAVARAPU, Advocate [OPUC]
11. One CC to SRI V.NARASIMHA GOUD, SC FOR HMDA [OPUC]
12. One CC to SRI M.GOVIND REDDY, Advocate [OPUC]
13. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
14. One CC to SRI A.VISHNUVARDHAN REDDY, SC FOR TSPCB [OPUC]
15. Two CCs to GP FOR MINES AND GEOLOGY, High Court for the State of Telangana, at Hyderabad. [OUT]
16. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
17. Two CD Copies

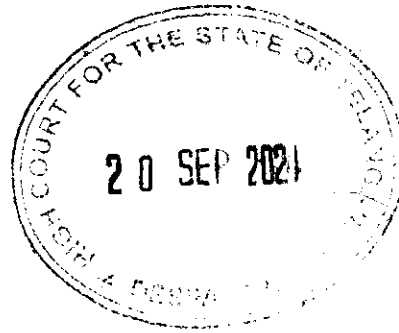
PSK.

HIGH COURT

DATED:20/06/2024

ORDER

PIL.No.268 of 2012



DISPOSING OF THE PIL
WITHOUT COSTS.


MBC
27/8