

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE THIRTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

W.P. (P.I.L).NO: 21 OF 2024

Between:

Karnati Venkata Reddy, S/o Guruva Reddy, Aged about 30 years, Occ: Advocate,
R/o Sarvaram village, Garidepally Mandal, Suryapet District.

.....PETITIONER

AND

1. Union of India, rep. by its Secretary Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhavan, Ali Gunj Jorbagh road, New Delhi 9 -110 003.
2. The State of Telangana, rep. by its Principal Secretary, Forest Department Secretariat, Hyderabad.
3. The State of Telangana, rep. by its Principal Secretary, Industries and Commerce Department, Secretariat, Hyderabad.
4. The Principal Conservator of Forests, State of Telangana, Aranya Bhavan Saifabad, Hyderabad.
5. The District Collector, Suryapet District Suryapet.
6. The Revenue Divisional Officer, Huzurnagar, Suryapet District.
7. The Tahsildar, Mattampalli Mandal, Suryapet District.
8. The District Forest Officer, Suryapet District.
9. The Forest Range officer, Huzurnagar, Suryapet District
10. The Director of Mines and Geology, State of Telangana, Hyderabad.
11. The Deputy Director of Mines and Geology, State of Telangana, Hyderabad.
12. The Assistant Director of Mines and Geology, Suryapet, Suryapet District.
13. The Telangana State Pollution Control Board, Rep. by its Member Secretary, Paryavarana Bhavan, Industrial Estate, Sanathnagar, Hyderabad.
14. The Executive Engineer, Telangana State Pollution Control Board, Nalgonda.
15. The Director General, Vigilance and Enforcement State of Telangana, Hyderabad.
16. The Regional Vigilance and Enforcement Office, Nalgonda, Nalgonda District.
17. Central Bureau of Investigation, Rep. by its Director, New Delhi.
18. The Superintendent of Police, Central Bureau of Investigation, 3rd Floor, Kendriya Sadan, Sultan Bazar, Hyderabad.

19. M/s Sagar Cements Limited, rep. by its Managing Director, Plot No. 111 Road No.10 Jubilee Hills, Hyderabad.
20. M/s NCL Industries Limited, rep. by its Managing Director, 6th and 7th floors, NCL Pear, S.D. Road, Secunderabad.

.....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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondent authorities in conducting thorough enquiry with regard to the illegal mining operations conducted by the respondent Nos. 19 and 20 in the land other than the leased out area in active collusion with the forest, revenue and Mines and Geology officials and thereby causing huge loss of the revenue to the Government exchequer inspite of the repeated written complaints as being illegal, arbitrary, unjust and unconstitutional and consequently direct the respondent authorities to cancel the mining lease granted in favour of the Respondent No.19 and 20 and to recover the entire loss caused to the Government.

I.A.NO:1 OF 2024

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 respondent authorities to forthwith stop the respondent Nos 19 and 20 from conducting mining operation in the Compartment Nos 11 and 13 situated within Sultanpur Reserve Forest Matampalli Suryapet District pending disposal of the writ petition (PIL).

I.A.NO:2 OF 2024

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 grant stay of all further proceedings including conduct of e-auction of the Major

Minerals in so far as Sultanpur Block cited at Sl.No3 of the Notification No. 2263906/DM&G-MI/Lst/2023 dt. 30-8-2024 is concerned, pending disposal of the writ petition (PIL).

Counsel for the Petitioner : SRI MAHESH MAMINDLA FOR SRI GANDU RAVI

**Counsel for the Respondent No.1 : Ms. ANDE VISHALA FOR
SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent Nos.2, 4, 8 & 9 : G.P FOR FORESTS

Counsel for the Respondent No.3 : G.P FOR INDUSTRIES & COMMERCE

Counsel for the Respondent Nos.5 to 7 : G.P FOR REVENUE

Counsel for the Respondent Nos.10 to 12 : G.P FOR MINES AND GEOLOGY

**Counsel for the Respondent Nos.13 & 14 : SRI PRANAV MUNIGELA,
ADDITIONAL S.C. FOR TSPCB**

Counsel for the Respondent Nos.15 & 16 : G.P FOR HOME

**Counsel for the Respondent Nos.17 & 18 : SRI SRINIVAS KAPATIA,
SPECIAL PUBLIC PROSECUTOR FOR
CENTRAL BOARD OF INVESTIGATION**

**Counsel for the Respondent No.19 : SRI AVINASH DESAI, SENIOR COUNSEL
REPRESENTING SRI T.P.S.HARSHA**

**Counsel for the Respondent No.20 : SRI SIVARAJU SRINIVAS,
SENIOR COUNSEL REPRESENTING SRI D.VISHWAJEET REDDY**

The Court made the following ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION (PIL) No.21 of 2024

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

Mr. Mahesh Mamindla, learned counsel appears for
Mr. Gandu Ravi, learned counsel for the petitioner.

Ms. Ande Vishala, learned counsel appears for
Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of
India, for respondent No.1.

Mr. Mohd. Imran Khan, learned Additional Advocate
General appears for the State.

Mr. Pranav Munigela, learned Additional Standing
Counsel for Telangana State Pollution Control Board appears
for respondent Nos.13 and 14.

Mr. Srinivas Kapatia, learned Special Public Prosecutor
for Central Board of Investigation appears for respondent
Nos.17 and 18.

Mr. Avinash Desai, learned Senior Counsel represents
Mr. T.P.S. Harsha, learned counsel for respondent No.19.

Mr. Sivaraju Srinivas, learned Senior Counsel represents

Mr. Vishwajeet Reddy D, learned counsel for respondent No.20.

2. With the consent of the learned counsel for the parties, the Writ Petition is heard finally.

3. The petitioner is a practicing advocate in Suryapet District. The petitioner has filed this petition as Public Interest Litigation being aggrieved by the inaction on the part of the official respondents in not conducting thorough enquiry with regard to the mining operations which are being conducted by respondent Nos.19 and 20, which according to the petitioner, are illegal.

4. The grievance of the petitioner as pleaded in the Writ Petition is that respondent Nos.19 and 20 are carrying out the mining operations on the land other than the land which has been leased out to them.

5. Learned counsel for the petitioner submits that he has submitted representations to the several authorities. However, it is submitted that the Writ Petition be disposed of with the direction to the Director of Mines and Geology to consider and decide the representation submitted by the petitioner.

6. The aforesaid submission has not been opposed by the learned Additional Advocate General as well as the learned Senior Counsel, who appear for respondent Nos.19 and 20. It is however submitted by them that respondent Nos.19 and 20 should also be granted an opportunity of being heard before the representation submitted by the petitioner is decided.

7. In view of aforesaid submissions and in the facts and circumstances of the case, the Writ Petition is disposed of with the direction to the Director of Mines and Geology to decide the representation submitted by the petitioner. Needless to state that before deciding the representation, an opportunity of hearing shall be afforded to the petitioner as well as respondent Nos.19 and 20. It is made clear that this Court has not expressed any opinion on the merits of the case.

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

Sd/- K. SREE RAMA MURTHY
ASSISTANT REGISTRAR

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SECTION OFFICER

- To
1. The Secretary, Union of India, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhavan, Ali Gunj Jorbagh road, New Delhi-110 003.
 2. The Principal Secretary, Forest Department Secretariat, State of Telangana at Hyderabad.
 3. The Principal Secretary, Industries and Commerce Department, Secretariat, State of Telangana at Hyderabad.

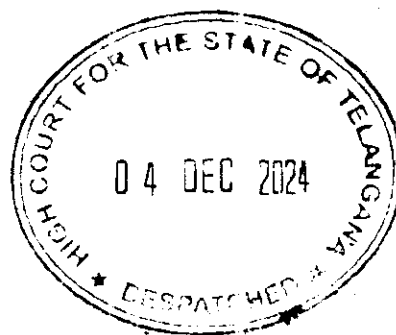
4. The Principal Conservator of Forests, State of Telangana, Aranya Bhavan Saifabad, Hyderabad.
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20. The Managing Director, M/s NCL Industries Limited, 6th and 7th floors, NCL Pear, S.D. Road, Secunderabad.
21. One CC to SRI GANDU RAVI, Advocate [OPUC]
22. One CC to SRI GADI PRAVEEN KUMAR, Deputy Solicitor General of India [OPUC]
23. Two CC's to G.P for FORESTS, High Court for the State of Telangana at Hyderabad. (OUT)
24. Two CC's to G.P for INDUSTRIES & COMMERCE, High Court for the State of Telangana at Hyderabad. (OUT)
25. Two CC's to G.P for REVENUE, High Court for the State of Telangana at Hyderabad. (OUT)
26. Two CC's to G.P for MINES and GEOLOGY, High Court for the State of Telangana at Hyderabad. (OUT)
27. One CC to SRI PRANAV MUNIGELA, ADDITIONAL S.C. for TSPCB (OPUC)
28. Two CC's to G.P for HOME, High Court for the State of Telangana at Hyderabad. (OUT)
29. One CC to SRI SRINIVAS KAPATIA, Special Public Prosecutor for Central Board of Investigation (OPUC)
30. One CC to SRI T.P.S.HARSHA, Advocate (OPUC)
31. One CC to SRI D.VISHWAJEET REDDY, Advocate (OPUC)
32. Two CCs to Mr. MOHD. IMRAN KHAN, Additional Advocate General, High Court for the State of Telangana at Hyderabad. [OUT]
33. Two CD Copies

SA
MP



HIGH COURT

DATED:30/10/2024



ORDER

WP(PIL).No.21 of 2024

**DISPOSING OF THE W.P (PIL)
WITHOUT COSTS.**

(41)
2/2/24
BRS