

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

**THURSDAY, THE SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 37072 OF 2024

Between:

Settipalli Buchamma, w/o. Late Settipalli Narsimha Rao, Aged about 60 years,
H.No. 5-63, Karegattu, Yanamboll, Paloncha Mandal, Bhadradri-Kothagudem
District. Telangana - 507115.

...PETITIONER

AND

1. The State of Telangana, represented By its Principal Secretary-Cum-Revision Authority, (Mines and Geology) Industries and Commerce (Mines-I) Department, Government of Telangana, Secretariat Building, Tank Bund, Hyderabad, Telangana.
2. The Director of Mines and Geology, Government of Telangana, 2nd Floor, My Homes, Sarovar Complex, Hyderabad, Telangana.
3. Telangana State Pollution Control Board, Rep by The Member Secretary, Board Office, (TSPCB)Paryavarana Bhavan, A3, Industrial Estate, Sanath Nagar, Hyderabad.
4. Telangana Pollution Control Board, Rep by The Environmental Engineer, Regional Office, 4th Floor, Collectorate Building, Nampally, Hyderabad - 500 001.
5. The Assistant Director of Mines and Geology, Bhadradri-Kothagudem District.
6. Deputy Director of Mines and Geology, Warangal.

...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 action of the respondents particularly 4th respondent in issuing demand notice vide Order No. KGM-01/TGPCB/U-VI/TF/2023-638 dated 20/07/2024 on a dead person without issuing any prior show cause notice as illegal, arbitrary, unreasonable, violation of principles of natural justice and consequently to set aside the impugned order issued by respondent vide Order No. KGM-01/TGPCB/U-VI/IF/2023-638 dated 20/07/2024 in the interests of Justice.

IA 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 suspend the demand notice vide Order No. KGM-01/TGPCB/U-VI/TF/2023-638 dated 20-07-2024 issued by the 4th respondent on a dead person without issuing any prior show cause notice as illegal, arbitrary, unreasonable, violation of principles of natural justice.

Counsel for the Petitioner: SRI KIRAN REDDY MALLARAPU

**Counsel for the Respondent Nos.1,2, 5 & 6: SRI A.ANANTHASEN REDDY, GP
FOR MINES AND GEOLOGY**

**Counsel for the Respondent Nos.3 & 4: SRI ZEESHAN ADNAN MAHMOOD, SC
FOR TSPCB**

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 No.37072 of 2024

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

Mr. M.Kiran Reddy, learned counsel for the petitioner.

Mr. A.Ananthasen Reddy, learned Government Pleader for Industries & Commerce and Mines & Geology Department for the respondents No.1, 2, 5 and 6.

Mr. Zeeshan Adnan Mahmood, learned counsel for the respondents No.3 and 4.

2. In this writ petition, the petitioner has assailed the validity of the notice dated 20.07.2024 issued by the Telangana Pollution Control Board by which the petitioner has been asked to pay a sum of Rs.1,47,30,000/- as environmental compensation.

3. Learned counsel for the petitioner submitted that initially, by a notice, the petitioner was asked to pay a sum

of Rs.1,26,000/-. The petitioner responded to the aforesaid notice. However, thereafter, without affording any opportunity of hearing to the petitioner, the impugned notice dated 20.07.2024 has been issued by which the petitioner was asked to pay a sum of Rs.1,47,30,000/-.

4. Learned counsel for the petitioner submits that the petitioner be granted the liberty to submit an objection to the aforesaid notice within such time limit as may be fixed by this Court.

5. In view of the aforesaid submission, it is directed that in case the petitioner submits an objection within a period of ten days from today, the same shall be dealt with by the Telangana Pollution Control Board by a speaking order in accordance with law. Needless to state that the Telangana Pollution Control Board shall pass an order after affording an opportunity of hearing to the petitioner within a period of two weeks from the date of receipt of the objection/representation submitted by the petitioner. It is made clear that this Court has not expressed any opinion with regard to the merits of the claims of the parties.

6. Accordingly, the writ petition is disposed of.

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

**SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR**

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SECTION OFFICER

To

1. The Principal Secretary-Cum-Revision Authority, (Mines and Geology) Industries and Commerce (Mines-I) Department, Government of Telangana, Secretariat Building, Tank Bund, Hyderabad, Telangana, State of Telangana.
2. The Director of Mines and Geology, Government of Telangana, 2nd Floor, My Homes, Sarovar Complex, Hyderabad, Telangana.
3. The Member Secretary, Telangana State Pollution Control Board, Board Office, (TSPCB)Paryavarana Bhavan, A3, Industrial Estate, Sanath Nagar, Hyderabad.
4. The Environmental Engineer, Telangana Pollution Control Board, Regional Office, 4th Floor, Collectorate Building, Nampally, Hyderabad - 500 001.
5. The Assistant Director of Mines and Geology, Bhadradi-Kothagudem District.
6. Deputy Director of Mines and Geology, Warangal.
7. One CC to SRI KIRAN REDDY MALLARAPU, Advocate [OPUC]
8. Two CCs to GP FOR MINES AND GEOLOGY, High Court for the State of Telangana, at Hyderabad. [OUT]
9. Two CD Copies

PSK.
LS

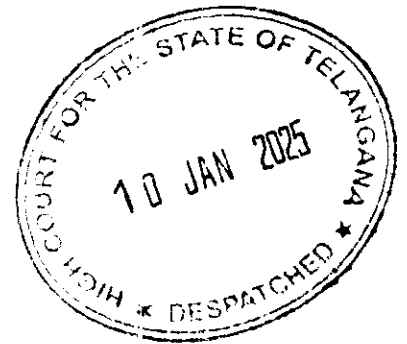


HIGH COURT

DATED:02/01/2025

ORDER

WP.No.37072 of 2024



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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09/1/2025