

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI-
(Special Original Jurisdiction)
MONDAY, THE ELEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE D.V.S.S. SOMAYAJULU -
AND
THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI -



WRIT PETITION NO: 8221 OF 2020 ✓

Between:

1. Chodipilli Sathish S/o Satyanarayana, Occ Fisherman, R/o D.No 16-16-13, Sri Ram Center Dummulapeta, Kakinada Urban, East Godavari District
2. Thummala Ramesh, S/o Kondal Rao, Occ Fisherman R/o D.No 17-2-144, Kondal Rao Street, Kakinada Urban, East Godavari District
3. Eripilli Abbai S/o Pentaiah, Occ Fisherman, R/o D.No 16-16-12, Poul Church Veedhi, Dummulapeta, Kakinada Urban, East Godavari District, Andhra Pradesh
4. Gampala Veeraju S/o Rajaiah, R/o D.No 17-1-39, Rajaji Veedhi, Kakinada Urban, East Godavari District, Andhra Pradesh

Petitioners ✓

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department, Secretariat, Amaravati, Guntur District.
2. The Union of India, Rep., by its Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi 110003
3. The Andhra Pradesh Coastal Zone Management Authority, Rep. by its member Secretary, having its office at D.No: 33-26-14, D/2, Near Sunshine Hospital, Kasturibai Peta, Vijayawada.
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Having its regional office at H.No: 2-532, Santhi Nagar, Ramanayyapeta, Kakinada
5. The District Collector, East Godavari District, At Kakinada.
6. The District Revenue Officer, East Godavari District, At Kakinada, East Godavari District.
7. The District Forest Officer, Kakinada Division, Kakinada, East Godavari District
8. The Joint Director of Fisheries, Kakinada, East Godavari District
9. Kakinada Municipal Corporation, Rep by its Commissioner, Kakinada, East Godavari District
10. The Superintendent of police, East Godavari District, At Kakinada, East Godavari District
11. The Inspector of police, Kakinada port police station, Kakinada, East Godavari District

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 high handed action of the Respondents in deforesting the Mangrove Forests and filling the same with mud for which a tender notification Vide Roc No. 2259/2020-E2 dated 08.04.2020 was notified for filling of land with mud in Sy. Nos. 374, 376, 376, 387, 1985/3, 1990 & 2004 of Dummulapeta, Kakinada Urban Mandal, East Godavari District for providing house sites (under Navaratnalu Scheme) in contrary to the guidelines issued for containment of COVID-19 Epidemic, Contrary to Rule 4 of Andhra Pradesh Municipalities Tender Rules, 1967, Contrary to Coastal regulation Zone Notification, 2011 even without considering the Petitioners Representation dated 16-03-2020 as illegal, arbitrary, Violation of principles of natural justice, Violation of Articles 14 & 21 of The Constitution of India, and consequently direct the Respondents not to deforest the Mangrove Forest in Sy. Nos. 374, 376, 387, 1985/3, 1990 & 2004 of Dummulapeta, Kakinada Urban Mandal, East Godavari District.

IA NO: 1 OF 2020 ✓

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 stall all the activities including Deforestation of Mangroves and filling up the same with mud in Sy Nos. 374, 376, 387, 1985/3, 1990 & 2004 of Dummulapeta, Kakinada Urban Mandal, East Godavari District, pending disposal of WP No. 8221 of 2020, on the file of the High Court. ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and order of the High Court dated 23.04.2020, 27-04-2020 & 04-05-2020 made herein and upon hearing the arguments of T VISHNU TEJA, Advocate for the Petitioners and of Sri C. Sumon, Govt. Pleader for the respondents 1,6,7,8,10 and 11, the Court made the following. ✓

ORDER:

Sri Suresh Kumar Routhu learned Standing Counsel for 2nd respondent seeks time to file counter. In view of the facts that one of the issues raised in this writ petition will depend upon the stand taken by the Union of India particularly. Ministry of Environment, this Court is of the opinion that one last opportunity should be given to 2nd respondent to file counter.

List the matter on 22.05.2020. ✓
Interim order granted earlier is extended till then ✓

Sd/- M. RAMESH BABU
ASSISTANT REGISTRAR

//TRUE COPY//


FOR ASSISTANT REGISTRAR

To

1. One CC to Sri T. Vishnu Teja, Advocate [OPUC]
2. Two CCs to the Advocate General, High Court of A.P. [OUT]
3. Two CCs to GP for Revenue, High Court of A.P. [OUT]
4. Two CCs to GP for Home, High Court of A.P. [OUT]
5. Two CCs to GP for Forest, High Court of A.P. [OUT]
6. Two CCs to GP for Pollution Control Board, High Court of A.P. [OUT]
7. One spare copy

Tvr

HIGH COURT

DVSSJ & LKJ

DATED: 11.05.2020

ORDER

WP.No.8221 of 2020

Status Quo Extended