



HIGH COURT OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF APRIL TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR
AND

THE HONOURABLE SRI JUSTICE D RAMESH
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.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of T VISHNU TEJA Advocate for the Petitioner(s) and the Advocate General for the Respondents, the Court made the following.

ORDER

"It is represented by the learned Advocate General that the allegation of deforesting the mangroves in Sy. Nos. 374, 376, 387, 1985/3, 1990 and 2004 of Dummulapeta, Kakinada Urban Mandal, East Godavari District is false, hence seeks time till 27.04.2020 for filing counter.

Post on 27.04.2020.

Till such time status quo as on today shall be maintained in respect of properties in dispute."

SD/- CH.V.SUBHRAMANYA SARMA
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, Secretariat, Amaravati, Guntur District, A.P. (by RPAD)
2. The Secretary, Ministry of Environment, Forests and Climate Change, Union of India, Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi 110003 (by RPAD)
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, A.P. (by RPAD)
4. The Environmental Engineer, Andhra Pradesh Pollution Control Board, Having its regional office at H.No: 2-532, Santhi Nagar, Ramanayynpeta, Kakinada, A.P. (by RPAD)
5. The District Collector, East Godavari District, At Kakinada, A.P. (by RPAD)
6. The District Revenue Officer, East Godavari District, At Kakinada, East Godavari District, A.P. (by RPAD)
7. The District Forest Officer, Kakinada Division, Kakinada, East Godavari District, A.P. (by RPAD)
8. The Joint Director of Fisheries, Kakinada, East Godavari District (by RPAD)
9. Kakinada Municipal Corporation, Rep by its Commissioner, Kakinada, East Godavari District, A.P. (by RPAD)
10. The Superintendent of police, East Godavari District, At Kakinada, East Godavari District, A.P. (by RPAD)
11. The Inspector of police, Kakinada port police station, Kakinada, East Godavari District, A.P. (by RPAD)
12. One CC to Sri T. Vishnu Teja, Advocate [OPUC]
13. Two CCs to the Advocate General, High Court of A.P. [OUT]
14. Two CCs to GP FOR REVENUE, High Court of A.P. [OUT]
15. One spare copy

MSR

HIGH COURT

**CPKJ
&
DRJ**

DATED: 23/04/2020

Note : Post on 27.04.2020

ORDER

WP.No.8221 of 2020

Status Quo

2 APR 2020