

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

WEDNESDAY, THE TWENTIETH DAY OF MAY
TWO THOUSAND AND TWENTY

: PRESENT:

**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND**

**THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY
WP(PIL). No. 32 OF 2020**

Between:

Dr. Lubna Sawath, Telangana State General Secretary and Spokes Person, Socialist Party (India),
R/o. H.No. 12-2-389/A/72/A, Mahaveer Nagar, Hyderabad, Cell No. 9963002403.

Petitioner

AND

1. The State of Telangana, represented by its Chief Secretary, Secretariat, Hyderabad.
2. The State of Telangana, represented by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
3. State of Telangana, Represented by its Principal Secretary, Municipal Administration And Urban Development, Secretariat, Hyderabad.
4. Greater Hyderabad Municipal Corporation, represented by its Commissioner, Tankbund Hyderabad.
5. Hyderabad Metro Development Authority, represented by its Principal Secretary and Commissioner, Hyderabad.
6. The Commissioner and Director of Municipal Administration, represented by its Director, Hyderabad.
7. The District Collector, Hyderabad District at Hyderabad.
8. The District Collector, Ranga Reddy District at Shamshabad.
9. The Tahsildar, Rajendra Nagar Mandal, Ranga Reddy District.
10. Telangana State Pollution Control Board, represented by its Member Secretary, Sanath Nagar, Hyderabad
11. The Moosi River Development Corporation, represented by its Managing Director, Hyderabad:
12. Telangana State WALTA Authority and Lake Protection Committee, represented by its Authorised Officer, Hyderabad.

Respondents

petition under Article 226 of the Constitution of India praying that in the circumstances stated in the email dated 29.01.2020 sent by the petitioner herein, the High Court may be pleased to issue an appropriate Writ, Order or Orders more particularly one in the nature of Writ of Mandamus by declaring the inaction of the respondents herein in taking immediate action to evict the illegal occupation of Water body at Puppulguda Village, Rajendranagar Mandal, Ranga Reddy District by Pride Honda and High Rises, due to which the Water body is missing from HMDA data base and to direct the WALTA authorities and Lake Protection Committee to restore the Water Body and its hydrology within a time frame, secondly, to direct the WALTA authorities and Lake Protection Committee immediately evict the encroachers of Moosi river (nadi) between 17⁰ 22'57.38"N, 78⁰ 29'55.08"E by filling up the river bed near Shankar Nagar for the past 6 years from 2014 to 2019 and polluting the river, Consequently, this Hon'ble Court may be pleased to issue necessary orders or directions to the Respondents herein for eviction of encroachments of water body at Puppulguda village, Rajendranagar Mandal, Ranga Reddy District by Pride Honda and High Rises and to evict the encroachers of the river bed of Moosi River near Shankar Nagar, Rajendranagar Mandal, Ranga Reddy District to submit action plans to restore Moosi Nadi to its full aesthetic glory and public utility and direct Moosi River Development Corporation to give work report on Moosi Nadi done so far and to take necessary action against the concerned for dereliction of their duty and willful omissions and commissions.

The petition coming on for hearing, upon perusing the Petition and email dated 29.01.2020 sent by the petitioner herein and upon hearing the arguments Sri N. Rajeshwara Rao, Assistant Solicitor General and Sri B.S. Prasad, Advocate General for the respondents, the Court made the following.

ORDER:

This Court appoints Mr. Kowturu Pavan Kumar, the learned advocate, as amicus curiae for assisting this Court.

Registry is directed to send the Letter petition to Mr. Kowturu Pavan Kumar.

Mr. B.S. Prasad, the learned Advocate General, seeks four weeks time to file counter.

The learned Advocate General is directed to inform the respondents that in case there is any illegal construction going on at the site, the same shall be stopped immediately. Moreover, in case there is any encroachment on the water body, the same shall be removed immediately by the respondents. The report, in this regard, shall be filed before this Court.

List this case on 24.06.2020

Sd/-B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Secretary, State of Telangana, Secretariat, Hyderabad.
2. The Principal Secretary, Revenue Department, State of Telangana, Secretariat, Hyderabad.
3. The Principal Secretary, Municipal Administration And Urban Development, State of Telangana, Secretariat, Hyderabad.
4. The Commissioner, Greater Hyderabad Municipal Corporation, Tankbund Hyderabad.
5. The Principal Secretary and Commissioner, Hyderabad Metro Development Authority, Hyderabad.
6. The Commissioner and Director of Municipal Administration, represented by its Director, Hyderabad.
7. The District Collector, Hyderabad District at Hyderabad.
8. The District Collector, Ranga Reddy District at Shamshabad.
9. The Tahsildar, Rajendra Nagar Mandal, Ranga Reddy District
10. The Member Secretary, Telangana State Pollution Control Board, Sanath Nagar, Hyderabad
11. The Managing Director, Moosi River Development Corporation, Hyderabad.
12. The Authorised Officer, Telangana State WALTA Authority and Lake Protection Committee, Hyderabad
(Addressees 1 to 12 by RPAD)
13. Sri Kowturu Pavan Kumar, (Amicus Curiae), Advocate, High Court, Hyderabad (BY SPL. MESSENER along with a copy of petition and letter)
14. Two CC to Advocate General, High Court, Hyderabad (OUT)
15. One CC to Sri N. Rajeshwara Rao, Assistant Solicitor General, High Court, Hyderabad (OPUC)
16. Two spare copies

HIGH COURT

HCJ
&
BVRJ

DATED:20/05/2020

NOTE: LIST THIS CASE ON 24.06.2020



ORDER

WP(PIL).No.32 of 2020

DIRECTION