

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

**TUESDAY, THE TENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

TAKEN UP WRIT PETITION NO: 4462 OF 2005

Between:

Dr.K.L.Vyas, Professor and Head, Department of Hindi, Osmania University,
Hyderabad.

Petitioner

AND

1. The Commissioner, Uppal Municipality, Uppal, Rangareddy District.
2. The Member-Secretary, A.P., Pollution Control Board, Hyderabad.
3. The Secretary to Government of A.P., Municipal Administration, and Urban Development Department, Secretariat, Hyderabad.
4. The Secretary to Government of A.P., Panchayati Raj, and Rural Development Department, Secretariat, Hyderabad.
5. The District Collector, Rangareddy District at Hyderabad.
6. The Commissioner, Hyderabad Metropolitan Development Authority, Swarna Jayanti Complex, Sanjeeva Reddy Nagar Road, Srinivasa Nagar, Ameerpet, Hyderabad, TS – 500082.

**(Respondent No.6 is impleaded as per Court Order dated 10.10.2023 in
Taken Up WP.No.4462 of 2005)**

Respondents

Petition under Article 226 of the Constitution of India in compliance with the order dated 02-03-2005 of the Hon'ble the Chief Justice and for the reasons stated in the letter dated 05-02-2005 sent by the petitioner herein, this Hon'ble Court may be pleased to issue an order, direction, or a writ, more particularly one in the nature of writ of Mandamus to call for the records and remarks from the Respondents herein relating to (i) deteriorating number of 532 lakes and 200 gardens to 170 lakes in the city of Hyderabad, causing water shortage, (ii) encroachment of Ramanthapur pedda Cheruvu, in 26 acres, and using the encroached place as municipal dumping yard,

and thereby causing contamination of ground water, polluting the atmosphere and making the place infested with mosquitoes, stray dogs and emanating of foul smell, and to pass appropriate orders directing the concerned authorities to cancel all the private pattas, demarcate the boundaries of Ramanthapur Pedda Cheruvu, get the encroachments removed and restore the lake;

The petition coming on for hearing, upon perusing the Petition and the letter dated 05-02-2005 and 13.09.2023 filed in support thereof and the order of the High Court dated 05.10.2023 made herein and upon hearing the arguments of Sri Katika Ravinder Reddy, (S.C.) for the Respondent No.1, Sri T Srikanth Reddy, GP for the Respondent No.5 and Sri V Narsimha Goud, SC for Respondent No.6, the Court made the following;

ORDER:

Mr. K.Ravinder Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation (GHMC).

Mr. T.Srikanth Reddy, learned Government Pleader for Revenue for respondent No.5.

In compliance of the order dated 13.09.2023, Mr. D.Ronald Rose, Commissioner, GHMC, Hyderabad is present before this Court.

Mr. D.Ronald Rose, Commissioner, GHMC states that he shall perform his statutory duties and shall take all possible steps to preserve the water body namely Ramanthapur Pedda Cheruvu (hereinafter referred to as 'the subject water body') spread on an area measuring Ac. 26.00.

It is submitted by him that a preliminary intimation was prepared by Tahsildar, Uppal on 21.12.2016 and the same was forwarded to concerned officials to proceed further.

It is further submitted by him that Full Tank Level demarcation has already been made and the notification for Full Tank Level has to be issued by Hyderabad Metropolitan Development Authority (HMDA).

It is submitted by him that as soon as notification is issued, following steps shall be taken:

1. To fence the tank in question.
2. Steps shall be taken to de-silt the subject water body and to increase its water holding capacity.
3. Mr. D.Ronald Rose, Commissioner, GHMC, undertakes that he will undertake the work of plantation in the catchment areas to stop soil erosion and de-silting of the tank.

In the meanwhile, Mr. D.Ronald Rose, Commissioner, GHMC is directed to ensure that the subject water body is not contaminated by drainage or effluents and to control the menace of mosquitoes and stray dogs.

Mr. K.Ravinder Reddy, learned Standing Counsel for GHMC submits that the Secretary, Municipal Administration and Urban Development Department, Hyderabad is under an obligation to protect the lakes.

Mr. K.Ravinder Reddy, learned Standing Counsel for GHMC undertakes to file an affidavit of the Secretary, Municipal Administration and Urban Development Department, Hyderabad about the steps taken by the Secretary, Municipal Administration and Urban Development Department, Hyderabad for preservation of the subject water body on or before next date of hearing.

HMDA is directed to be impleaded as a respondent in the writ petition.

Office is directed to issue notice by e-mail to aforesaid authority.

Office is directed to print the name of Mr. V.Narasimha Goud, learned Standing Counsel for HMDA.

Mr. D.Ronald Rose, Commissioner, GHMC, shall remain present in this Court on the next date of hearing also.

Contd..

Let the writ petition be listed for further orders on 12.10.2023.

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Tank bund, Hyderabad, Telangana **(By Special Messenger)**.
2. The Commissioner, Hyderabad Metropolitan Development Authority, Swarna Jayanti Complex, Sanjeeva Reddy Nagar Road, Srinivasa Nagar, Ameerpet, Hyderabad, TS – 500082. **(By e-mail)** *(By sp. Messenger)*
3. Two CCs to Sri T Srikanth Reddy, GP, High Court at Hyderabad (OUT)
4. One CC to Sri K Ravinder Reddy (S.C.), High Court at Hyderabad (OPUC)
5. One CC to Sri V Narsimha Goud (S.C.), High Court at Hyderabad (OPUC)
6. Two spare copies.

HIGH COURT

HC,J & NVSK,J

DATED: 10.10.2023

LIST ON 10.10.2023

ORDER

TAKENUP WP.No.4462 of 2005



DIRECTION