

ITEM NO.16 Court 1 (Video Conferencing) SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL)Diary No(s).21921/2021

(Arising out of impugned final judgment and order dated 09-09-2021 in CONTC(SR) No.3139/2014 passed by the High Court for the State of Telangana at Hyderabad)

LOKESH KUMAR Petitioner(s)

VERSUS

MAMIDI VENUMADHAV & ORS. Respondent(s)

IA No.117413/2021 - APPLICATION FOR PERMISSION

Date : 16-09-2021 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MS. JUSTICE HIMA KOHLI(Not Participated)

For Petitioner(s) Mr. Tushar Mehta, SG
Mr. P. Venkat Reddy, Adv.
Mr. Prashant Tyagi, Adv.
Mr. P. Srinivas Reddy, Adv.
For M/s Venkat Palwai Law Associates, AOR

For Respondent(s) Mr. Mamidi Venumadhav, Caveator-in-person

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through Video Conferencing.

The application filed by the caveator-in-person to appear and argue in person is allowed.

This petition is directed against an order dated 09.09.2021 passed by the High Court for the State of Telangana at Hyderabad in Contempt Case(SR)No.3139 of 2014 whereby, after relying on the earlier orders of the same Court passed in WP 21495 of 1998, the High Court has closed the Contempt Petition and converted the same into a *suo moto* Public Interest Litigation and further issued several directions to the State Government, State Pollution Control Board and other authorities regarding the

immersion of Ganesh idols for the purposes of the festival of Ganesh Chaturthi.

Heard Mr. Tushar Mehta, learned Solicitor General appearing on behalf of the petitioner as also Mr. Mamidi Venumadhav, the caveator, who has appeared in person.

Unfortunately, the problem raised in the instant petition is a recurring one, which is being faced every year by the city of Hyderabad.

The main grievance of the petitioner in the contempt case is that the State has not complied with all the directions issued in W.P. No. 21495/1998 and every year, during the Ganesh Chaturthi celebrations, immersion of idols takes place in the Hussain Sagar Lake which is severely polluting the said lake. We appreciate the endeavour of the petitioner to bring this problem to the notice of the High Court as also to this Court.

During the course of hearing, learned Solicitor General submits that immersion of POP idols would be banned from the next year in the light of the guidelines issued by the State Pollution Control Board. However, he submits that, for this year, the Greater Hyderabad Municipal Corporation (GHMC) may be granted exemption, as there is paucity of time for preparing new plans, the arrangements for the festival having been made long back.

Learned Solicitor General assures the Court that all steps to minimize pollution to the Hussain Sagar Lake will be taken and modernized cranes are being deployed at the immersion sites and on the idols being immersed, they will be lifted soon after and transported to the solid waste dumping sites for recycling purposes.

In view of the undertaking given by the learned Solicitor General that in future the State would not allow immersion of the idols in the Hussain Sagar lake, as a last chance, we permit immersion of idols in the said Lake only for this year.

However, we make it clear that we have not interfered in the rest of the directions issued by the High Court and the State of Telangana is directed to submit a compliance report in respect

of those directions before the High Court, for the said Court to hear the matter further and pass appropriate orders thereon.

The special leave petition stands disposed of on the above terms.

As a sequel to the above, the pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)