IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY,THE TWENTY FOURTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE P.SAM KOSHY

WRIT PETITION NO: 20621 OF 2025

Between:

1. K. Vishnuvardhan Reddy, S/o. K. Sudharshan Reddy, aged about 42 Years, Occ. Business H. No. 2-26/3, Sankireddypally (V), Wanaparthy (D).
2. Vadde Bhanuchander, S/o. Vadde Venkata Swamy, Aged about 36 Years, Occ. Agriculture H. No. 3-86, Sankireddypally (V), Wanaparthy (D).
3. Bale Miya Dastagiri, S/o. Dastagiri, Aged about 28 Years, Occ. Private Employment H. No. 3-43, Sankireddypally (V), Wanaparthy (D).
4. Keshapaga Manyam, S/o. Keshapaga Puttalaiah, Aged about 27 Years, Occ. Business H. No. 4-86, Sankireddypally (V), Wanaparthy (D).
5. Keshapaga Nagesh, S/o. Lakshmanna, Aged about 36 Years, Occ. Business H. No. 3-68/1, Sankireddypally (V), Wanaparthy (D).
6. Lambadi Suresh, S/o. Lambadi Laxmanna, Aged about 26 Years, Occ. Business H. No. 5-30/1, Sankireddypally (V), Wanaparthy (D).
7. M. Buchanna, S/o M. Venkatramulu, Aged about 36 Years, Occ. Agriculture H. No. 4-48, Sankireddypally (V), Wanaparthy (D).
8. Keshapaga Manyam, S/o. Keshapaga Danaiah, Aged about 44 Years Occ: Agriculture H. no. 1-76, Sankireddypally (V), Wanaparthy (D).

...PETITIONERS

AND

1. The State of Telangana, Represented by its Chief Secretary, Telangana Secretariat, Block C, 3rd Floor, Hyderabad-500022.
2. The State of Telangana, Rep by its Principal Secretary Water Resources, irrigation Department Telangana Secretariat, Hyderabad-500022
3. The Collector and District Magistrate Integrated District Offices Complex,, Wanaparthy-509103
4. Union of India, Represented by Secretary to the Govt. of India, Rashtrapati Bhawan New Delhi- 110 004
5. Telangana State Pollution Control Board, A-3, Paryavaran Bhavan, Sanath Nagar Rd, Sanath Nagar Industrial Estate, Sanath Nagar, Hyderabad, *Telangana- 500018*

6. Pre-Unique India Private Limited, H. No. 6-3-787, Near RBI Quarters, Ameerpet, Hyderabad Rep. by its Authorised Signatory Gundapaneni Venkata Lakshmi Prasad

...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 a) to issue a Writ, order or direction to the Respondents, and more particularly in the nature of Writ of Mandamus declaring the issuance of Consent for Establishment of the Factory at the Site vide Order No. 1151-MBNR/TSPCB/ZO-HYD/CFE/TS-IPASS/2024-38 dated April 3, 2024, under Red Category, as arbitrary, illegal, capricious and in violation of Articles 14, 21 of the Constitution of India and in violation of Article 48A and Article 51A(g) (DPSP) of the Constitution of India. b)to cancel the allotment and sale of land admeasuring Ac. 40.00 Gts. in Sy. No. 174/25/1/1/2/3, Sankireddipalle Village, Kothakota Mandal, Wanaparthy District sold to Respondent No. 6 vide Sale Deed No. 1515/2023. c)to direct Respondent Nos. 1 to 5 to allot land where there is no threat of pollution to the people in general and where there is no threat to the water bodies, agriculture in lieu of the land in Sy. No. 174/25/1/1/2/3, Sankireddypalle Village, Kothakota Mandal, Wanaparthy District

IA NO: 1 OF 2025

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. (a) Direct Respondent No. 5 not to provide the Consent for Operation, pending disposal of the present Petition.

IA NO: 2 OF 2025

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 grant stay against the setting up of the factory for production of crude Palm Oil ("Factory") by Pre Unique (India) Private Limited i.e., Respondent No. 6, within the residential vicinity of Sankireddipalle Village, Kothakota Mandal, Wanaparthy District

Counsel for the Petitioner: SRI. DURGA GANDHAM BOSE

Counsel for the Respondent no.1: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondent No.2: SRI S. SWATHI AGP FOR IRRIGATION DEPARTMENT

Counsel for the Respondent No.3: SRI MURALIDHAR REDDY KATRAM GP FOR REVENUE

Counsel for the Respondent No.4: SRI B. MUKERJEE REPRESENTING FOR SRI G. PRAVEEN KUMAR DY. SOLICITOR GENERAL OF INDIA

Counsel for the Respondent No.5: SRI ZEESHAN ADNAN MAHMOOD SC FOR TS POLLUTION CONTROL BOARD

Counsel for the Respondent NO.6: SRI P. SRI RAGHU RAM REPRESENTING FOR SRI V.V ANIL KUMAR

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE P.SAM KOSHY

WRIT PETITION NO.20621 OF 2025

ORDER: *(Per the Hon'ble the Chief Justice Sri Aparesh Kumar Singh)*

Heard Mr. Durga Gandham Bose, learned counsel for petitioners, Mr. G.Veera Swamy, learned Government Pleader for General Administration appearing for respondent No.1, Ms. S.Swathi, learned Assistant Government Pleader for Irrigation Department appearing for respondent No.2, Mr. Muralidhar Reddy Katram, learned Government Pleader for Revenue appearing for respondent No.3, Mr. B.Mukarjee, learned counsel representing for Mr. G.Praveen Kumar, learned Deputy Solicitor General of India appearing for respondent No.4, Mr. Zeeshan Adnan Mahmood, learned Standing Counsel for TS Pollution Control Board appearing for respondent No.5 and Mr. P.Sri Raghu Ram, learned Senior Counsel representing for Mr. V.V.Anil Kumar, learned counsel for respondent No.6.

2. Petitioners claiming themselves to be the residents of Sankireddypally Village, Kothakota Mandal, Wanaparthy District have preferred this writ petition with the following prayer, raising several grounds of violation of statutory guidelines under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.

> "a) to issue a Writ, order or direction to the respondents and more particularly in the nature of Writ of Mandamus declaring the issuance of Consent for Establishment of the Factory at the Site vide Order No.1151-MBNR/TSPCB/ZO-HYD/CFE/TS-iPASS/2024-38 dated April 3, 2024 under '**Red**' Category, as arbitrary, illegal, capricious and in violation of Articles 14, 21 of the Constitution of India and in violation of Article 48A and Article 51A(g) (DPSP) of the Constitution of India;
>
> b) to cancel the allotment and sale of land admeasuring Acs.40.00 guntas in Sy.No.174/25/1/1/2/3, Sankireddipalle village, Kothakota Mandal, Wanaparthy District sold to respondent No.6 vide Sale Deed No.1515/2023;
>
> c) to direct respondent Nos.1 to 5 to allot land where there is no threat of pollution to the people in general and where there is no threat to the water bodies, agriculture in lieu of the land in Sy.No.174/25/1/1/2/3, Sankireddipalle village, Kothakota Mandal, Wanaparthy District; and
>
> d) pass such other orders or directions as this Hon'ble Court may deem it fit and proper in the facts and circumstances of the present case."

3. Mr. Zeeshan Adnan Mahmood, learned Standing Counsel for respondent No.5, has referred to Consent Order for Establishment, dated 03.04.2024 and also the provisions of Section 28 of the Water (Prevention and Control of Pollution) Act, 1974, and Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 and submitted that if the petitioners are aggrieved by the Consent Order for Establishment, they should have approached the Appellate Authority constituted under the aforesaid Acts.

4. Learned Senior Counsel representing respondent No.6-industry has also vehemently opposed the maintainability of the writ petition at this stage on the ground that the petitioners have not approached the statutory authority, if at all they are aggrieved.

5. After some arguments, learned counsel for the petitioners Mr. Durga Gandham Bose seeks permission to withdraw this writ petition with a liberty to approach the statutory authority under the aforesaid Acts.

6. With the aforesaid liberty, the instant Writ Petition is dismissed as withdrawn. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-A. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. DURGA GANDHAM BOSE Advocate [OPUC]
2. One CC to SRI V.V ANIL KUMAR Advocate [OPUC]
3. One CC to SRI ZEESHAN ADNAN MAHMOOD SC FOR TS POLLUTION CONTROL BOARD [OPUC]
4. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India [OPUC]
5. Two CCs to GP FOR GENERAL ADMINISTRATION ,High Court for the State of Telangana. [OUT]
6. Two CCs to GP for IRRIGATION, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies

KKS

LS

HIGH COURT

DATED:24/07/2025



ORDER

WP.No.20621 of 2025

DISMISSING THE WRIT PETITION
AS WITHDRAWN
WITHOUT COSTS

13 copies
25/8/25