

(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWENTIETH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY SIX



:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 4979 OF 2026

Between:

Ms. Manda Hemima, Advocate & Environment Activist D/o. M.Samuel,  
Aged about 38 years D.No.53-1-53, Vijayanagar Colony Vijayawada-  
520 008, Krishna District, Andhra Pradesh

Petitioner

AND

1. Union of India, Rep. by its Secretary, Ministry of Environment, Forests & Climate Change (MoEF & CC) Indira Paryavaran Bhavan, JOR BAGH ROAD, New Delhi-110 003.
2. The State of Andhra Pradesh, Rep by it's Principal Secretary Department of Environment, Forests and Science & Technology, Government of A.P., Rep. by its Special Chief Secretary Block No.4, A.P. Secretariat, Velagapudi, Tulluru Mandal, Guntur District, Andhra Pradesh State-522239.
3. The Member Secretary, Andhra Pradesh Pollution Control Board (APPCB) Paryavaran Bhavan. APIIC Colony Road Gurunanak Colony, Auto Nagar, Vijayawada Krishna District, Andhra Pradesh-520007.
4. Dr.P.Krishnaiah., IAS(Retd), Chairman, Andhra Pradesh Pollution Control Board (APPCB) Paryavaran Bhavan, APIIC Colony Road

Gurunanak Colony, Auto Nagar, Vijayawada Krishna District, Andhra Pradesh-520007.

### **Respondents**

WHEREAS the Petitioner above named through her Advocate SRI PREMRAJ RAVELA, presented this 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 Quo Warranto, quashing the appointment of R4 (Dr. P. Krishnaiah, IAS(Retd)) as the Chairman of the Andhra Pradesh Pollution Control Board (APPCB) as:

(a) The appointment of Respondent-4 was in violation of Sec.4(2)(a) of The Water (Prevention AND Control of Pollution) Act, 1974 AND Sec. 5(2)(a) of The AIR (Prevention AND Control of Pollution) Act, 1981; —

(b) The advertisement released invited applications only from All India Service Officers either in service or retired, aimed to eliminate other qualified candidates having special knowledge and practical experience in respect of matters relating to environment protection;

(c) the appointment of Chairman of the APPCB was restricted to only All India Services Officers either in service or retired with 15 years of experience based Rule 3A(b) of the said Rules,2021, which is contrary to the provisions of the Principal Acts 1974 and 1981 in letter and spirit and the Notification of the Andhra Pradesh Pollution Control and Other terms and conditions of service and powers and duties of Chairman, Member Secretary and other Members) Rules,2021 excludes other competent and qualified persons having special knowledge and practical experience in respect of matters relating to environment protection is challenged as violative of the principal Acts; AND

(d) the Notification Dt.11.12.2021 (RULES) issued by the Government of Andhra Pradesh amounts to substantive ultra-vires of the Principal Acts and as the Principal Acts prevail over the subordinate legislation, the said Rule 3 (A) (b) of the Rules,2021 may be set aside as these Rules,2021 are contrary

to the express and implied provisions of The Water Act, 1974 and The AIR Act, 1981;

(e) the consequent impugned order, appointing the incumbent Chairman (Respondent-4) of APPCB vide G.O.Ms. No.34, Dt.15.09.2024 be set aside it violated the statutory provisions of the Water Act, 1974 and The AIR Act, 1981;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri PREMRAJ RAVELA, Advocate for the Petitioner, Additional Solicitor General of India for Respondent No.1, learned GP FOR ENVIRONMENT & FORESTS for respondent No.2, Sri B. RAMA RAO, Standing Counsel for the Respondent Nos.3&4 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Union of India, Ministry of Environment, Forests & Climate Change (MoEF & CC) Indira Paryavaran Bhavan, JOR BAGH ROAD, New Delhi-110 003.
2. The Principal Secretary, State of Andhra Pradesh, Department of Environment, Forests and Science & Technology, Government of A.P., Rep. by its Special Chief Secretary Block No.4, A.P. Secretariat, Velagapudi, Tulluru Mandal, Guntur District, Andhra Pradesh State-522239.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 20.04.2026, on which date the case stands posted for hearing.

**The Court made the following ORDER:**

**Notice.**

**Service is waived by Mr. Bolla Rama Rao, learned SC for APPCB appearing for respondent Nos.3 and 4.**



Personal notice on the private respondent is permitted.

Response be filed.

List on 20.04.2026.

//TRUE COPY//

For

SD/- K. KASIRAO ACHARI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Environment, Forests & Climate Change (MoEF & CC) Indira Paryavaran Bhavan, JOR BAGH ROAD, New Delhi-110 003.
2. The Principal Secretary, State of Andhra Pradesh, Department of Environment, Forests and Science & Technology, Government of A.P., Rep. by its Special Chief Secretary Block No.4, A.P. Secretariat, Velagapudi, Tulluru Mandal, Guntur District, Andhra Pradesh State-522239. (1&2-by RPAD- along with a copy of petition and affidavit)
3. One CC to SRI. PREMRAJ RAVELA Advocate [OPUC]
4. One CCs to ADDITIONAL SOLICITOR GENERAL, High Court of AP [OPUC]
5. Two CCs to GP FOR ENVIRONMENT & FORESTS, High Court of Andhra Pradesh. [OUT]
6. One CC to SRI B. RAMA RAO, STANDING COUNSEL [OPUC]
7. Two spare copies

Kj

**HIGH COURT**

**HC,J&  
CGR,J**

**DATED:20/02/2026**

**LIST ON 20.04.2026**

**NOTICE BEFORE ADMISSION**

**WP.No.4979 of 2026**

