

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY EIGHTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX



:PRESENT:

HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 7079 OF 2026

Between:

M/S Siva Sai Constructions, Kutagulla, Kadiri Rep. by its Managing Partner K.V.SaiPraneeth Reddy, S/o.K.V.Ramesh Reddy, Aged about 41 years, having its Office at Kutugaulla Village, Kutagulla, Kadiri Mandal, Satya Sai District

Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Environment Forest Science and Technology Department, Secretariat Buildings, Velagapudi, Guntur District. 522238
2. The Andhra Pradesh Pollution Control Board, Dr.Y.S.Paryavarana Bhavan, APIIC Colony Road, Gurunanak Colony, Vijayawada, rep., by its Chairman. 520001
3. The Joint Chief Environmental Engineer, Kumool Zone, Andhra Pradesh Pollution Control Board Zonal Office, Kumool. 518001
4. The Environmental Engineer, Ananthpur Region, Andhra Pradesh Pollution Control Board Regional Office Ananthapur. 515001

Respondent

Petition under Article 226 of the Constitution of India is filed 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 Mandamus, declaring the action of the

respondents issuing condition.No.1 in Schedule B in Consent Order.No. ATP-1183/PCB/ZO/KNL/CTO/2025 dated 25.02.2026 directing the petitioner to obtain extension revocation of closure order dated 26.01.2024 without which the crushing unit shall not restart its operations at Sy.No.436, 436-B, 440, 440-7B, 447, 805-3, 805-3B, 813, 813-B, 814, 814-B, Kutagulla Village, Kadiri Mandal, Sri Satya Sai District, eventhough the said closure order has been set aside by this Honble Court vide order dated 31.01.2024 in W.P.No.2154 of 2024 as arbitrary, illegal, colorable exercise of power and contrary to the well established legal principles and apart from being violative of the Fundamental and Constitutional Rights guaranteed under Articles 14,- 19, 21 and 300-A of the Constitution of India and consequently set aside the condition.No.1 in Schedule B in Consent Order.No. ATP-1183/PCB/ZO/KNL/CTO/2025 dated 25.02.2026.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to insist for extension of closure order dated 26.01.2026 for restarting its operation of its stone crushing unit at Sy.No.436, 436-B, 440, 440-7B, 447, 805-3, 805-3B, 813, 813-B, 814, 814-B95 Kutagulla Village, Kadiri Mandal, Sri Satya Sai District, by suspending the the condition.No.1 Schedule B in Consent Order. No. ATP-in 1183/PCB/ZO/KNL/CTO/2025 dated 25.02.2026, pending disposal of the Writ Petition, Pending disposal of WP 7079 of 2026, on the file of the High Court.

The petition, coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the orders of the High Court dated 17.03.2026 & 07.04.2026 made herein and upon hearing the arguments of Sri B.ABHAY SIDDHANTH MOOTHA Advocate for the Petitioner, GP FOR FORESTS Advocate for the Respondent No.1, Sri B.V. RamaRao, Standing Counsel for AP Pollution Control Board for Respondent Nos.2 to 4, and the Court made the following.

ORDER:

The 3rd respondent has filed affidavit.

2. Learned counsel for the petitioner prays for time to file reply affidavit, if required.

3. List on 30.06.2026.

4. The interim order granted earlier is extended till the next date of listing.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. One CC to SRI. B.ABHAY SIDDHANTH MOOTHA Advocate [OPUC]
2. Two CCs to GP FOR FORESTS ,High Court Of Andhra Pradesh.
[OUT]
- 3 .One CC to Sri B.V.RamaRao, Standing Counsel for AP Pollution Control Board, High Court Of Andhra Pradesh. [OUT]
- 4.Two spare copies

HIGH COURT

RNT,J

&

BM,J

DATED:28/04/2026

LIST ON 30.06.2026

ORDER

WP.No.7079 of 2026

INTERIM ORDER EXTENDED

