

APHC010128632026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

MONDAY, THE 24th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO: 7079 OF 2026

Between:

1. M/S SIVA SAI CONSTRUCTIONS, Kutagulla, Kadiri Rep. by its Managing Partner K.V.Sai Praneeth Reddy, S/o.K.V.Ramesh Reddy, Aged about 41 years, having its Office at Kutugaula 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.Paryavaran 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

...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 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.I 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, even though the said closure order has been set aside by this Hon'ble 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.I in Schedule B in Consent Order.No. ATP-1183/PCB/ZO/KNL/CTO/2025 dated 25.02.2026 and to me pass

IA NO: 1 OF 2026

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 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 condition.No.I Schedule B in Consent Order.No. ATP-in 1183/PCB/ZO/KNL/CTO/2025 dated 25.02.2026, pending disposal of the Writ Petition and pass

Counsel for the Petitioner: B.ABHAY SIDDHANTH MOOTHA

Counsel for the Respondents: GP FOR FORESTS Counsel for the Respondents:BOLLA VENKATA RAMA RAO SC For APPCB

The Court made the following order:

ORDER:*(per Hon'ble Sri Justice D.Ramesh)*

The present writ petition is filed seeking the following relief:

"....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents issuing condition.No.I 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, even though the said closure order has been set aside by this Hon'ble 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.I in Schedule B in Consent Order.No. ATP-1183/PCB/ZO/KNL/CTO/2025 dated 25.02.2026 and to me pass...."

2. Heard Mr. Abhay Siddanth Mootha, learned counsel for the petitioner and learned standing counsel appearing for the respondents.
3. Learned counsel for the petitioner submitted that based on the orders passed by this Court in W.P.No.2154 of 2024, respondent no.3 has issued orders on 25.02.2026 for renewal orders. According to the schedule B(1) of the said orders, the authorities insisting to provide extension of revocation of closure orders issued by the Board dated 26.01.2024. In fact, said orders were interdicted by this Court in W.P.No.2154 of 2024 on 31.01.2024. Hence he could not be able to produce the said orders. Hence learned counsel for the petitioner has also consented to comply the other relevant clauses from 2 to 15.

4. Considering the said submissions learned standing counsel appearing on behalf of respondent nos.2 to 4 consented for the said submissions made by the learned counsel for the petitioner.

5. In view of the same, the Writ Petition is disposed of directing the respondent nos.2 to 4 not to insist the petitioner for submission of the closure orders dated 26.01.2024 and the petitioner is directed to comply the rest of the clauses vide consent order dated 25.02.2026.
No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE D.RAMESH

JUSTICE A. HARI HARANADHA SARMA

Date: 24.8.2026
RD

THE HONOURABLE SRI JUSTICE D.RAMESH
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION No.7079 of 2026

Dated: 24.8.2026

RD