

**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI****Bench Sr.No:-34,
35,38,39,40 & 41
[3483]****WP(PIL) NO: 53 of 2024 along with
WP(PIL).Nos.110 of 2018, 206 of 2024,
WP.Nos.3074, 17965 & 23119 of 2024****WP(PIL).No.53 of 2024**

P L V N Murthy @ Murthy Yadav

...Petitioner

Vs.

Union of India and others

...Respondents

Advocate for Petitioners : Mr. K S Murthy, Sr. Counsel appearing
for Mr. Ponnada Sree Vyas
Mr. N. Joy, Mr. K. Sarva Bhouma Rao,
Mr. N. Ashwani Kumar

Advocate(s) for Respondent(s) : Additional Solicitor General
Deputy Solicitor General
Mrs. S. Pranati (Spl.GP)

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI****DATE : 18th June 2025****P C :**

One of the two main directions that we had issued on 05.03.2025 in WP(PIL).Nos.53 & 206 of 2024 was pertaining to the constitution of a team to assess the damage caused on account of the unauthorized construction by the private respondents.

The team apart from the Senior Scientist from the National Institute of Oceanography, Visakhapatnam, was to consist of members appointed by the Ministry of Environment and Forests having expertise in the subject.

Mr. Challa Dhanamjaya, learned Additional Solicitor General of India, states that the said team could not be constituted on account of failure on the part of the Ministry to identify the experts in the field who could proceed on the spot to assess the damage and that the needful would be done at the earliest.

The second aspect of the directions, dated 05.03.2025, was with regard to filing of a complaint in terms of the provisions of the Environment (Protection) Act, 1986, for which we were told that the Central Government had authorized the officers of the State Coastal Zone Management Authorities within their respective territorial jurisdiction as authorities who could file such complaints.

We have been informed by Mr. Y. Somaraju, learned Standing Counsel for the State Coastal Zone Management Authority that a complaint was filed in the month of February, 2025 which was returned for reasons not known to him.

It appears that the conduct of the authorities in the office of the Coastal Zone Management Authority has been quite casual as no action appears to have been taken in resubmitting the complaint which was otherwise directed to be filed by virtue of the orders of this Court.

We direct the Member Secretary, A.P. State Coastal Zone Management Authority, to appear through the virtual mode on the next date of hearing in case the complaint properly drafted is not filed before the appropriate forum within two weeks from today.

In our order, dated 26.03.2025, we had also directed the respondents to place on record the names of the officers who were at the helm of affairs in the Greater Visakhapatnam Municipal Corporation [GVMC] as also the officers from the Revenue Department who would otherwise have been under an obligation to check the illegal construction but had turned a blind eye.

A list of names of some officers has been placed by Mr. K S Murthy, learned Senior Counsel for the petitioners before us. However, no such details have been provided by the counsel for the respondents.

We direct the Commissioner, GVMC to provide the list of officers in terms of our order, dated 26.03.2025, so that appropriate action can be directed to be taken against them.

Needful be done in three weeks.

In our order, dated 05.03.2025, we had also directed the committee who had earlier conducted the survey to also survey the adjoining area where some Resto Bars have been established and report to this Court as to whether the said structures were in violation of the Coastal Zone Regulations or not.

A report has been placed on record by counsel for the respondents which shows that the structures are in violation of the Coastal Zone Regulations and in some cases without permission from the CRZ authorities.

However, it appears that individual petitions have been filed by some of the entities and interim orders have been obtained seeking prohibition from demolition of the structures raised in the said area.

Pursuant to our orders, the writ petitions bearing Nos.3074, 17965 and 23119 of 2024 have now been listed before us.

We direct the authorities of the GVMC, the Coastal Zone Management Authorities as also the District Collector to proceed in accordance with law by serving notices on the petitioners in W.P.Nos.3074, 17965 and 23119 of 2024 as also any other entity which is stated to have violated any of the Coastal Zone Regulations or the by-laws of the GVMC.

The notices which are to be issued should contain in detail the violations committed by the said entities and the same shall be issued within a period of two weeks from today. The said entities shall be at liberty to respond.

On the suggestion of the counsel for the parties, a minimum 15 days be provided to the said entities to respond to the show cause notice on which appropriate decision shall then be taken within two weeks thereafter.

The said entities may also be given a personal hearing apart from the explanation which they may render to the show cause notices.

Let the needful be done and completed within eight weeks positively.

The result of the action taken be placed before this Court. Till such time as the notices are issued and considered and appropriate orders are passed, *status quo* shall be maintained with regard to the structures in question, which are the subject matters in WP.Nos.3074, 17965 & 23119 of 2024 till the next date of hearing.

The orders passed in W.P.Nos.3074 and 23119 of 2024 shall stand modified accordingly.

List on 30.07.2025.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

Vjl