

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WP(PIL) NO: 205 OF 2023

Between:

Epuri Rajasekhar, S/o. Epuri Kutumba Rao, H.No.4-106, S.C Colony,
Mallavolu Village, Machavaram Mandal, Palanadu District, Andhra Pradesh-
522 315.

AND

1. The State of Andhra Pradesh, Rep.by its Chief Secretary, General Administration Department 1st Block, 1st Floor, A.P Secretariat Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522 238.
2. The Andhra Pradesh Pollution Control Board, D.No. 33-26-14 D/2, Near Sunrise Hospital Pushpa Hotel Centre, Chalamalavari Street Kasturibaipet, Vijayawada, NTR District Andhra Pradesh - 520 010, Rep.by its Chairman.
3. The Joint Chief Environmental Engineer, A.P. Pollution Control Board Zonal Office, Plot No. 41 Gurunanak Road, Opp. State Bank of Hyderabad, Sri Kahakadurga Officer's Colony Vijayawada, NTR District Andhra Pradesh - 520 008.
4. The Environmental Engineer, A.P.Pollution Control Board, Regional Office - Guntur D.No 4-5-4 / 5C, 4/3, Nava Bharath Nagar Ring Road, Guntur, Guntur District Andhra Pradesh – 522006.



WHEREAS the above named through his Advocate M/s. Leo Law Associates LLP presented this pleader to issue a writ, order or direction more particularly one in the nature of **Writ of Mandamus: a)** to declare the inaction of the respondents and their omissions and commissions and statutory violations and in not taking any actions to control, monitor and bring the pollution levels to permissible levels in and around Piduguralla Town and peripheral villagers, as illegal, arbitrary and in dereliction of their statutory duties **b)** to further declare that the non-consideration of the representations of the villagers and local residents to control and bring the pollution levels to permissible levels as being dereliction of their statutory duties **c)** to further declare that the non-consideration of the request made by the villagers and other local persons to conduct periodical tests to ascertain the pollution levels in and around Piduguralla and surrounding villages, as being dereliction of their statutory duties **d)** to further declare that the actions complained of, as above-mentioned, are in violation of Article 14, 21, 48A, 51A of the Constitution of India **e)** to further declare that the omissions and commissions on the part of the respondents herein, are in gross violation of the most salutary principles laid down by the Hon'ble Supreme Court, namely Principles of Inter-generational Equity, Public Trust Doctrine, Precautionary Principle and Sustainable Development.

IA NO: 1 OF 2023

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 respondent authorities to consider the representation of villagers, including the representation dated 01-10-2022, and pass appropriate orders as per law and after thorough enquiry and comprehensive pollution tests, after providing opportunity of hearing to the petitioner, Pending disposal of WP(PIL) 205 of 2023, 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 upon hearing the arguments of M/s. Leo

Law Associates LLP Advocate for the Petitioner, and of GP for General Administration Department for the Respondent No.1, and of Mr. Yelisetti Somaraju, Standing Counsel (APPCB), for the Respondent Nos.2 to 4, and the Court made the following

ORDER:

“The issue that has been highlighted in the present petition is with regard to the pollution that is caused mainly by the limestone industries.

Learned counsel for the petitioner states that the number of unauthorized units are much more than those which have obtained authorization and ‘Consent to Operate’ from the Pollution Control Department. It is stated that these units, in any case, even the authorized units are not being checked periodically even when the level of pollution is significantly high.

In response to the averments made in the petition, the stand taken by the Pollution Control Department is that the ambient air quality of as many as nine pulverizing units in Piduguralla area was inspected on 29.11.2023 and 30.11.2023. Some of the units, it is stated, didn’t have proper sprinkling arrangements at ‘Dust Prone Areas’ and the air quality was recorded in the range of 120 µg/m³ - 887 µg/m³ as against the accepted norm of maximum 100 µg/m³.

It appears that the Board issued certain instructions to these industries to take necessary action. From the record, it appears that inspection was conducted as early as in November, 2023 and thereafter what has happened is not known. The stand of the respondents further is that although 50 units have been authorized, yet 9 units were in operation.

We direct the Pollution Control Board to inspect all the authorized units and submit a comprehensive report in regard to the air quality as also the steps taken by those industries, which had in the past been instructed to improve their pollution control mechanisms.

It may also be clarified as to whether the Board has prescribed certain guidelines for the lime kilns and also to have adequate pollution control mechanisms in place and if yes, what steps the Pollution Control Board has taken to supervise the said lime kilns. We would also require the presence of Senior Environmental Engineer (Zonal Office) in the Pollution Control Department, in-charge of the said area, to appear through virtual mode on the next date of hearing. The officer shall also inspect the area in an around Piduguralla and submit as to whether there are any unauthorized pulverizing units and lime kilns operating in the area.

List on 12.11.2025."

//TRUE COPY//

SD/- P.VINOD KUMAR
DEPUTY REGISTRAR

SECTION OFFICER

For

To,

1. The Chief Secretary, General Administration Department, State of Andhra Pradesh, 1st Block, 1st Floor, A.P. Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522 238.
2. The Andhra Pradesh Pollution Control Board, D.No. 33-26-14 D/2, Near Sunrise Hospital Pushpa Hotel Centre, Chalamalavari Street, Kasturibaipet, Vijayawada, NTR District Andhra Pradesh - 520 010, Rep.by its Chairman.
3. The Joint Chief Environmental Engineer, A.P. Pollution Control Board Zonal Office, Plot No. 41 Gurunank Road, Opp. State Bank of Hyderabad, Sri Kahakadurga Officer's Colony Vijayawada, NTR District Andhra Pradesh - 520 008.
4. The Environmental Engineer, A.P.Pollution Control Board, Regional Office - Guntur D.No 4-5-4 / 5C, 4/3, Nava Bharath Nagar Ring Road, Guntur, Guntur District Andhra Pradesh – 522006. (Addressees 1 to 4 by RPAD)

5. One CC to M/SI. LEO LAW ASSOCIATES LLP, Advocate [OPUC]
6. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court of Andhra Pradesh. [OUT]
7. One CC to Mr. Yelisetti Somaraju, Standing Counsel (APPCB), High Court of Andhra Pradesh.
8. Two spare copies

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HIGH COURT

HC,J

&

RC,J

DATED:13/08/2025

LIST ON 12.11.2025

ORDER

WP(PIL).No.205 of 2023

DIRECTION

