

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No. W.P(PIL) No.180 of 2023

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
1	22.11.2023	<p>Heard Sri K. S. Murthy, learned Senior Counsel, appearing for Sri Ponnada Sree Vyas, learned counsel for the petitioners.</p> <p>Notice waived by Sri Jupudi V. K. Yagnadutt, learned In-charge Deputy Solicitor General of India for respondent No.1.</p> <p>Notice waived by the learned Government Pleader for General Administration for respondent No.2.</p> <p>Notice waived by the learned Government Pleader for Municipal Administration & Urban Development for respondent No.3.</p> <p>Notice waived by Sri V. Surya Kiran Kumar, learned Standing Counsel for respondent No.4 VMRDA.</p> <p>Notice waived by the learned Government Pleader for the Forest Department for respondent Nos.5 & 11.</p> <p>Notice waived by Sri K. Madhava Reddy, learned Standing Counsel for respondent No.6</p>	

	<p>GVMC.</p> <p>Notice waived by learned Government Pleader for Revenue for respondent Nos.7 & 8.</p> <p>Notice waived by learned Government Pleader for Mines & Geology for respondent Nos.9 & 10.</p> <p>The present petition has been filed in public interest highlighting the action of the Visakhapatnam Metropolitan Region Development Authority (VMRDA) in resorting to cutting of trees and excavating the hill at Visakhapatnam, which is stated to fall in the CRZ. It is stated that no permissions, which are otherwise required to be obtained from the Ministry of Environment and Forests, have been taken in the present case and VMRDA proposes to construct shops/shopping complex on the site in question.</p> <p>Learned Standing Counsel for VMRDA would submit that no shops/shopping complex is being constructed and it is only a parking area which is being developed for the benefit of convenience of the visitors, who visit the adjoining park known as Tennesi Park.</p> <p>Although the object of construction of a car parking area may be laudable, yet, if permissions are required for undertaking any</p>	
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construction activity from the concerned authorities including the Ministry of Environment and Forests considering the fact that the area falls in the CRZ, the necessary permissions ought to have been taken.

Learned Standing Counsel for VMRDA submits that he has no information whether or not the permissions have been so taken.

In any case, it is submitted that no further construction activity/excavation activity shall be carried out on the said spot. In that view of the statement having been made, we direct filing of the response within three weeks.

The Commissioner of VMRDA shall ensure that *status quo* be maintained on spot till the objections are filed and the matter is considered. However, pendency of the present petition will not prevent VMRDA from approaching the concerned competent authority for obtaining the required permissions.

List on 13.12.2023.

DHIRAJ SINGH THAKUR, CJ

R.RAGHUNANDAN RAO, J

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