



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

[3494]

MONDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

**PRESENT
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM**

WRIT PETITION NO:13904/2024

Between:

1.D RAMESH KUMAR, OCC ADVOCATES ENVIRONMENT ACTIVIST
S/O. D. KOTESWARA RAO, AGED 54 YEARS D.NO.L2-48-70(N),
PENAMALURU CENTER BANDAR ROAD, PORANKI, VIJAYAWADA-
521137 KRISHNA DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

- 1.MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE
GOVERNMENT OF INDIA, REP. BY ITS SECRETARY, INDIRA
PARYAVARAN BHAVAN JOR BAGH ROAD, NEW DELHI-110 003.
- 2.THE STATE OF ANDHRA PRADESH, REPRESENTED BY THE CHIEF
SECRETARY TO GOVERNMENT BLOCK NO.L, A.P SECRETARIAT
VELAGAPUDI, TULLUR MANDAL, GUNTUR DISTRICT, ANDHRA
PRADESH.
- 3.DEPARTMENT OF ENVIRONMENT, FORESTS AND SCIENCE AND
TECHNOLOGY, GOVERNMENT OF A.P., REP. BY ITS SPECIAL
CHIEF SECRETARY BLOCK NO.4, A.P. SECRETARIAT,
VELAGAPUDI, TULLURU MANDAL, GUNTUR DISTRICT, ANDHRA
PRADESH STATE.
- 4.THE MEMBER SECRETARY, ANDHRA PRADESH POLLUTION
CONTROL BOARD (APPCB) PARYAVARAN BHAVAN, APIIC COLONY
ROAD GURUNANAK COLONY, AUTO NAGAR, VIJAYAWADA
KRISHNA DISTRICT, ANDHRA PRADESH.
- 5.SRI NEERABH KUMAR PRASAD IAS, CHAIRMAN, A.P. POLLUTION
CONTROL BOARD (APPCB) PARYAVARAN BHAVAN, APIIC COLONY
ROAD GURUNANAK COLONY, AUTO NAGAR, VIJAYAWADA
KRISHNA DISTRICT, ANDHRA PRADESH.

...RESPONDENT(S):

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 Quo Warranto, quashing the appointment of Respondent No.5 (Sri Neerabh Kumar Prasad, IAS), Chief Secretary to Government of A.P.,) as the Chairman of the Andhra Pradesh Pollution Control Board (APPCB) (Interim Arrangement) on the ground of disqualification under Sec.6(l)(f) and 7 of the Water (Prevention and Control of Pollution) Act, 1974 and under Sec.8(l)(f) and 9 of the Air (Prevention and Control of Pollution) Act, 1981 and under Rule No.6 and 7 of the Rules, 2021 which regulate the qualifications and other Terms and Conditions of Service and powers and Duties of the Chairman, Member Secretary and Members in APPCB, Dt.11.12.2021, as this appointment amounts to usurpation of public office by Respondent No.5 and declare the same as illegal, arbitrary, unconstitutional and pass such

Counsel for the Petitioner:

1. KALLEMU VIJAYA RAJU

Counsel for the Respondent(S):

1. GP FOR FORESTS

2. V SURENDRA REDDY (SC FOR PCB)

The Court made the following ORDER:

At the time of considering the matter, it is submitted that in view of the subsequent developments, the matter has become infructuous.

2. Recording the same, the writ petition is dismissed as infructuous. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

NINALA JAYASURYA, J

SUMATHI JAGADAM, J

September 30, 2024.
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