

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.7728 OF 2012

DATED:29-7-2015

Between:

M. Nagalakshmi

... Petitioner

And

Govt. of A.P.,
Rep. by its Principal Secretary
Revenue Department, Secretariat
Hyderabad
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: None appeared

COUNSEL FOR RESPONDENT NOs.1 to 5:A.G.P. for Fisheries (AP)

COUNSEL FOR RESPONDENT NOs.6 to 8: Mr. Davuluri Narsimha
Rao

COUNSEL FOR RESPONDENT NOs.9 & 10: None appeared

THE COURT MADE THE FOLLOWING:

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ORDER:

This writ petition is filed for a mandamus to declare the inaction of the official respondents in preventing respondent Nos.6 to 10 from carrying on aquaculture without permission, as illegal and arbitrary.

At the hearing there is no representation for the petitioner.

I have heard the learned counsel for respondent Nos.6 to 10 and perused the record.

The learned Counsel for respondent Nos.6 to 10 has submitted that the petitioner, who is the daughter of respondent Nos.6 and 7 and sister of respondent No.8, has no land of her own and that family disputes have provoked her to file the present writ petition.

A perusal of the averments in the affidavit of the petitioner shows that she is only claiming a share in the alleged ancestral properties which fell to respondent Nos.6 to 8. She has not pleaded that she has filed any suit for partition so far. Therefore, on her own pleadings the petitioner's rights, if any, over the lands are not got crystallized and therefore running of aquaculture by respondent Nos.6 to 10 cannot be considered as affecting her interest. Though every person seeking to carry on aquaculture is required to take permission as per law from the competent authority, as the petitioner is neither seeking to espouse public cause nor proved that her personal interests are affected by carrying on aquaculture by respondent Nos.6 to 10, I am not inclined to entertain this writ petition for adjudication.

The writ petition is accordingly dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P. Nos.9792 and 22593 of 2012 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

29-7-2015

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