

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

FRIDAY, THE TWENTY FIRST DAY OF NOVEMBER,
TWO THOUSAND AND FOURTEEN

:PRESENT:

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

WP .NO: 35463 of 2014

Between:

- 1 Rudraraju Sujatha, W/o. R.V.V.L.N. Varma,
 - 2 Rudraraju Bhadarinath Varma, S/o. R.V.V.L.N. Varma,
 - 3 Rudraraju Ramgopal Varma, S/o. R.V.V.L.N. Varma,
- All are R/o. Chinchinada Village, Ealamanchill Mandal,
West Godavari District.

..... Petitioners

AND

- 1 The State of Andhra Pradesh, Rep. by Principal Secretary to Government, Animal Husbandry and Dairy Development and Fisheries (Fish-II) Dept., Secretariat Buildings, Hyderabad.
- 2 The District Level Committee, Rep. by the Chairman & District Collector, District Level Committee, West Godavari District, Eluru.
- 3 The Deputy Directory of Fisheries, Eluru, West Godavari District.
- 4 The Thasildar, Elamanchili Mandal, West Godavari District.
- 5 Mandal Fisheries Development Officer, Elamanchili Village, Elamanchili Mandal, West Godavari District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue order or orders, direction or directions, writ or writs particular one in nature of writ of mandamus and declare the action of the 4th & 5th respondents in interfering with the aqua culture activity of the petitioner's lands situated in Sy. Nos.502/2, 22, 25, 23, 17, 494/4, 5, 8, 493/2, 1 to an total extent of Ac.8.66 cents of Khaza Village, Yalamanchili Mandal, West Godavari Dist., covered by registration No.576/A3/2014/ 10292/25 DLC/West Godavari, (ii) Registration No.576/A3/2014/10291/25 DLC/West Godavari, (iii) Registration No.576/A3/2014/10290/25 DLC/West Godavari issued by DLC., West Godavari Dist. respectively, is illegal, arbitrary, against the provisions of GO MS No.7 and GO MS No.15, Animal Husbandry and Dairy Development and Fisheries (Fish-II) Dept., and Article 14, 19 (i) (g), 21, 300 A of the Constitution of India consequently direct the respondents to allow the petitioners to carry on the aqua culture during the registration period i.e., 05-09-2014 to 04-09-2019.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Sri K.L.N. Swamy, Advocate for the Petitioners and the learned Asst. Govt. Pleader for Fisheries (AP) for the Respondents, the Court made the following

ORDER:

Learned Asst. Govt. Pleader for Fisheries (AP) takes notice for the respondents and seeks time for filing counter-affidavit.

Post on 22-12-2014.

Pending further orders, the respondents shall not interfere with the petitioners' right of carrying on fresh water aquaculture over their lands admeasuring Acs.8-66 cents of Khaza Village, Yalamanchili Mandal, West Godavari District, so long as the registration certificates, dt. 05-9-14, issued in their favour remain in force.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary to Government, Animal Husbandry and Dairy Development and Fisheries (Fish-II) Dept., State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
 - 2 The Chairman & District Collector, District Level Committee, West Godavari District, Eluru.
 - 3 The Deputy Directory of Fisheries, Eluru, West Godavari District.
 - 4 The Thasildar, Elamanchili Mandal, West Godavari District.
 - 5 The Mandal Fisheries Development Officer, Elamanchili Village, Elamanchili Mandal, West Godavari District.
- (Addressees 1 to 5 BY RPAD)**
- 6 One CC to Sri K.L.N. Swamy, Advocate (OPUC)
 - 7 Two CCs to the G.P. for Fisheries (A.P.), High Court, Hyderabad. (OUT)
 - 8 Two CCs to the G.P. for Revenue (A.P.), High Court, Hyderabad. (OUT)
 - 9 One spare copy.

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HIGH COURT

CVNR,J

DATED: 21-11-2014

NOTE: Post on 22-12-2014

ORDER

W.P.NO. 35463 OF 2014

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 24-11-2014

CVNR,J

DATED: 21-11-2014

NOTE: Post on 22-12-2014

ORDER

W.P.NO. 35463 OF 2014

DIRECTION