

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

W.P.No.33794 of 2015

Date : 7-11-2015

Between :

Kanamarlapudi Razaka Seva Sangham

Represented by its President

Potluri Peda Koteswar Rao .. Petitioner

And

The State of Andhra Pradesh,

Represented by its Secretary,

Panchayat Raj Department,

Hyderabad and others .. Respondents

Counsel for petitioner : Mr. P.S.P. Suresh Kumar

Counsel for respondent Nos.1 & 3 : Assistant Government Pleader
for Panchayat Raj

Counsel for respondent No.2 : Assistant Government Pleader
for Revenue

Counsel for respondent No.4 : Mr. Ravi Cheemalapati

The Court made the following :

ORDER:

This Writ Petition is filed for a mandamus to declare the action of respondent Nos.2 and 3 in not restraining respondent No.4 from indulging in illegal fishing activity in Bodepudi Cheruvu, Kanamarlapudi village, Savalyapuram Mandal, Guntur District, as illegal and arbitrary.

From the averments of the affidavit filed in support of the Writ Petition, it is evident that the petitioner has filed W.P.No.7670 of 2015 feeling aggrieved by non-granting of fishing lease for the current period and

that in WPMP No.10161 of 2015, this Court by order dated 24-4-2015 permitted the petitioner to make a representation to respondent No.4 and the latter was directed to take action in terms of G.O.Ms.No.343, dated 10-4-1978 and pass orders in accordance with law within a period of two weeks from the date of receipt of fresh representation. The grievance of the petitioner is that pending passing of an order on the representation made by it, respondent No.4 has been catching fish in the Tank in question.

Mr. Ravi Cheemalapati, learned Counsel representing respondent No.4, on instructions, submitted that respondent No.4 has not been catching fish.

In the light of the above submission of the learned Counsel for respondent No.4, further adjudication of the Writ Petition is unnecessary. If the petitioner has any grievance in connection with the grant of leasehold rights or any other aspect in relation thereto, it is permitted to move appropriate applications in W.P.No.7670 of 2015.

Subject to the liberty given to the petitioner as above, the Writ Petition is disposed of.

As a sequel to the disposal of the Writ Petition, WPMP No.43560 of 2015 is disposed of as infructuous.

Justice C.V. Nagarjuna Reddy

Date : 7-11-2015

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