

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.5115 of 2015

ORDER:

Heard the learned counsel appearing for the petitioners and the learned Government Pleader for Fisheries-Respondents 1 to 3.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of respondents 1 to 3 in not taking action against the 4th and 5th respondents, even though, 4th and 5th respondents have dug the salt water aquaculture pond in agricultural lands of an extent Ac.5.69 cents in Sy.Nos.62/1, 62/3, 62/4, 62/2, 63/8, 62/1, and 63/7 of Sankaryagudum Village of Inavelli Mandal of East Godavari District, without obtaining any permission from the District Level Committee under G.O.Ms.No.7 Animal Husbandry, Dairy Development and Fisheries (Fish-II) Department dated 16.03.2013 and also contrary to Andhra Pradesh Water, Land and Trees Act, 2002, the Wetlands Conservation Rules, as illegal and arbitrary.

3. It is submitted by the petitioners that respondents 4 and 5 have been digging aquaculture ponds in their lands, which are adjacent to the lands of the petitioners, without obtaining proper permission from respondents 1 to 3 and thereby causing damage to the agricultural lands of the petitioners. The petitioners filed photographs showing damage caused to the lands as well as to the standing crop in the lands. Their contention is that the conversion of the agricultural lands in to non-agricultural lands is contrary to G.O.Ms.No.7 dated 16.03.2013 and in spite of their representations submitted to respondents 1 to 3, they have not taken any action to prevent the illegal activities of respondents 4 and 5.

4. Having regard to the aforementioned submissions, the petitioners are directed to make fresh representation to respondents 1 to 3 and on their making such representation, respondents 1 to 3 are

directed to take necessary action in terms of G.O.Ms.No.7 dated 16.03.2013 and pass appropriate orders thereon within a period of eight weeks thereafter.

5. The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed in consequence. No order as to costs.

R. KANTHA RAO, J

Date: 04.03.2015
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