

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.3643 of 2015

ORDER:

The petitioners claim to be owners and possessors of lands admeasuring Ac.2.00 cents, Ac.0.85 cents, Ac.0.40 cents and Ac.1.00 cents respectively in Survey No.2 of Digamaru Village, Palakol Mandal, West Godavari District. Since the said lands were not fit for agricultural operations, they were converted into aquaculture purpose. Initially, permission was granted and it expired on 30.01.2014. The said permission was granted pursuant to the report submitted by the second respondent and challenging the said report, un-official respondents 5 & 6 filed Writ Petition No.24844 of 2008 and ultimately the said writ petition was disposed of on 18.12.2013 giving liberty to the petitioners to seek renewal as per G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated 16.03.2013 and the writ petitioners therein were given liberty to raise their objections for renewal of the permissions.

The petitioners submitted application for renewal in the prescribed pro-forma as per G.O.Ms.No.7, dated 16.03.2013 and when the fourth respondent issued a notice on 27.01.2014, the petitioners filed Writ Petition No.3224 of 2014 and the said writ petition was disposed of on 02.04.2014 directing the second respondent to consider the representation dated 20.01.2014 filed by the petitioners for renewal of registration after taking into account the report dated 22.03.2011 and objections of the respondents

4 and 5 in the said writ petition. The respondents 1 to 3 in the said writ petition were directed to see that no fishing operations take place before grant of appropriate registration under G.O.Ms.No.7, dated 16.03.2013.

When the third respondent issued a notice on 10.07.2014, the petitioners filed another Writ Petition No.25655 of 2014 and the same was disposed of on 20.10.2014 giving liberty to the petitioners to submit explanation and the third respondent was directed to communicate the

decision after receipt of the explanation. Thereafter, when the fourth respondent issued another notice on 03.12.2014 directing the petitioners to stop further activity of aquaculture, the present writ petition is filed.

In the present writ petition, this Court by order dated 20.02.2015, granted interim stay of operation. Thereafter, the respondents filed W.V.M.P.No.1060 of 2015 seeking vacation of that order and with the consent of both the counsel, the writ petition is being disposed of at this stage.

Admittedly, the permission granted in favour of the petitioners expired on 31.01.2014 and the petitioners filed application for renewal before expiry of the permission on 20.01.2014. The second respondent is not taking any action nor communicated any decision pursuant to the application filed by the petitioners. The present notice was issued by the fourth respondent in the absence of any permission in favour of the petitioners.

Now the learned counsel appearing for respondents 5 & 6 submits that the matter was enquired by the Tahsildar and a report was submitted to the Mandal Committee and the matter is lying for decision at that stage.

In the circumstances, the second respondent is directed to consider the application of the petitioners dated 20.01.2014 and pass appropriate orders therein within a period of 30 days from the date of receipt of a copy of this order. Till then, the interim order passed by this Court on 20.02.2015 shall continue.

With the above directions, the writ petition is disposed of. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed. No order as to costs.

-

A. RAMALINGESWARA RAO, J

Date: 24.07.2015

Isn

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

-

-

-

-

-

-

-

-

-

-

Writ Petition No.3643 of 2015

-

DATE: 24.07.2015

Isn