

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.10810 of 2015

ORDER:

This Writ Petition is filed seeking to issue a writ of *Mandamus* to declare the proceedings in Rc.No.562/C/2014, dated 26-03-2015 issued by the respondent No.3, whereby the petitioner was called for objections, if any, to take action against him as per G.O.Ms.No.7, dated 16-03-2013 and G.O.Ms.No.15, dated 29-04-2013, as illegal and arbitrary.

Sri Ch.Siva Reddy, learned counsel for the petitioner, submits that the petitioner has given his objections in pursuance of the impugned proceedings, but the same were not considered and no orders are passed so far and further, the petitioner is apprehending that at any moment his fresh water aqua culture pond may be demolished by the authorities concerned.

Having heard the learned counsel on either side and perused the material available on record, this Court is of the view that when the

3rd respondent directed the petitioner to give his objections within seven days and when objections are also given by the petitioner, it is the duty of the 3rd Respondent to decide the issue on the basis of the objections given by the petitioner and pass appropriate

orders, but, without passing any orders on the basis of the objections given by the petitioner, the 3rd Respondent shall not proceed against the petitioner. Hence, the 03rd Respondent – Deputy Director of Fisheries/Convener, DLC, FWA, Krishna District, Machilipatnam, is directed to dispose of the objections given by the petitioner within a period of six months from the date of the receipt of a copy of the order.

The Writ Petition is accordingly disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, in the Writ Petition are closed.

JUSTICE RAJA ELANGO

23rd April, 2015

skmr