

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

TUESDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE R.KANTHA RAO

WP .NO:3562 of 2015

Between:

- 1 Damineni Venkateswara Rao, S/o. China Basavaiah,
- 2 Kalapala Lakshmi, W/o. Venkateswara Rao,

..... Petitioners

AND

- 1 State of Andhra Pradesh, Rep. by its Principal Secretary, Animal Husbandry,
Dairy Development and Fisheries Department, Secretariat, Hyderabad.
- 2 The District Level Committee for Registration of Aquaculture, Krishna Godavari
District at Machilipatnam, Rep. by its Chairman-cum-District Collector
Krishna
District at Machilipatnam.
- 3 Deputy Director of Fisheries, Machilipatnam, Krishna District.
- 4 Tahsildar, Mandavalli Mandal, Krishna 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 an order, writ or direction more particularly in the nature of Writ of Mandamus declaring the action on the part of the respondents not processing and finalizing the application form submitted by the petitioner seeking permission to aquaculture farms in 1st Petitioner lands in R.S.Nos. 251/1, 225, 252/1 total an extent of Ac. 3.18 1/2 cents and 2nd Petitioner lands in R.S.Nos. 251/2A, 252/1, 224/2 total an extent of Ac.5.00 1/2 cents at Gannavaram Village, Mandavalli Mandal, Krishna District as illegal, arbitrary, unjust and violative of Article 14, 21, 19(1)(g) and 300-A Constitution of India and consequently direct the Respondent/ authorities to issue provisional registration certificate in favour of the petitioner for fish tank forthwith.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri Rambabu Koppineedi, Advocate for the Petitioners and of the GP for Fisheries, (AP), for the Respondents N. 1 to 3, and the GP for Revenue, (AP), for the Respondent No.4, the Court made the following.

ORDER:

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“There shall be interim direction to the 2nd respondent to process the applications made by the petitioners and grant provisional registration within a period of two months subject to the petitioners satisfying the conditions mentioned in G.O. Ms. No. 7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated 16-3-2013. Till then, the petitioner shall not proceed with the digging operations in the subject lands.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Animal Husbandry, Dairy Development and Fisheries Department, State of Andhra Pradesh, Secretariat, Hyderabad.**
- 2 The Chairman-cum-District Collector, District Level Committee for Registration of Aquaculture, Krishna Godavari District at Machilipatnam, Krishna District at Machilipatnam.**
- 3 Deputy Director of Fisheries, Machilipatnam, Krishna District.**
- 4 Tahsildar, Mandavalli Mandal, Krishna District. (Addressees 1 to 4 BY RPAD)**
- 5 Two CCS to GP for Fisheries, (AP), High Court Buildings, Hyderabad (OUT)**
- 6 Two CCS to GP for Revenue, (AP), High Court Buildings, Hyderabad (OUT)**
- 7 One CC to Sri Rambabu Koppineedi, Advocate (OPUC)**
- 8 One Spare Copy**

HIGH COURT

AB

DRAFTED ON 25-2-2015

RKRJ

DATE: 24-2-2015

ORDER

WP. NO. 3562 OF 2015

INTERIM DIRECTION