

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.13801 of 2015

ORDER:

This Writ Petition is filed challenging the action of the third respondent in not conducting enquiry pursuant to Memo No.3511/I.2/2014, dated 28.05.2014, issued by the second respondent.

The petitioners claim to belong to Kalingapatnam Village, Kusumpuram Post, Kaviti Mandal in Srikakulam District. Their Village and 106 hectares of Kusumpuram Swamp fall within the area of operation of the fifth respondent society. It appears that about 32 members of Kalingapatnam Village submitted a petition in the Prajavani of Srikakulam District for formation and registration of separate society and for consideration of the same, it appears that the fourth respondent was directed to conduct an inquiry and the fourth respondent, in turn, directed the Fisheries Development Officer, Ichapuram, to conduct an enquiry and submit a report. The Fisheries Development Officer, Ichapuram, submitted a report to the fourth respondent on 18.03.2014. Thereafter, the fourth respondent communicated his decision to the persons, who submitted the representation, stating that it is not possible to register a new society at Kalingapatnam. Challenging the said order, they filed an appeal before the Commissioner of Fisheries, Hyderabad, and the said appeal was forwarded to the Additional Director of Fisheries, Andhra Pradesh, who instructed the third respondent on 28.05.2014 to enquire and submit a report to the Deputy Director of Fisheries. When the third respondent did not take any action on the representations dated 08.07.2014 and 17.07.2014, they waited for another six months and submitted another representation on 27.01.2015, and the said representation was forwarded to the Joint Director of Fisheries, who issued proceedings dated 05.02.2015 asking the third respondent to send a detailed report. When the third respondent did not take any action, the present Writ Petition is filed.

In view of the innocuous prayer sought in the Writ Petition, this court is inclined to dispose of the Writ Petition directing the third respondent to take further action for submitting a report pursuant to the proceedings of the Additional Director of Fisheries dated 28.05.2014 and the Joint Director of Fisheries dated 05.02.2015 and submit a report to them, within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

01.07.2015
vs