

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.38791 of 2015

ORDER :

In this Writ Petition, petitioner assails the action of the 4th respondent in directing the petitioners to remove prawn ponds erected in the subject lands.

2. There is no dispute that the petitioners are doing cultivation in prawn in the subject lands since August, 2014 without any permission as prescribed in G.O.Ms.No.7 Animal Husbandry, Dairy Development and Fisheries(Fish-II) Department, dt.16.03.2013 issued by the 1st respondent.

3. After a show cause notice dt.30.10.2015 was issued by the 4th respondent, the petitioners submitted explanation to the same. However, in the meantime, G.O.Ms.No.15, Animal Husbandry, Dairy Development and Fisheries (Fish-II) Department, dt.26.05.2015 has been issued by the Government of Andhra Pradesh giving time up to 31.03.2016 for filing applications for regularization of unregistered existing aqua culture farms before the District Level Committee through the District Fisheries Officer.

3. Taking advantage of the same, the petitioners filed application on 30.11.2015 for regularization of their prawn tank in the subject lands. Petitioners apprehend that pending consideration of the same, the respondents may demolish the bunds erected by the petitioners in the subject lands.

4. The Government Pleader appearing for respondents states that the application of the petitioners for regularization submitted on 30.11.2015 will be considered by the respondents in accordance with G.O.Ms.No.7 Animal Husbandry, Dairy Development and Fisheries(Fish-II) Department, dt.16.03.2013 and G.O.Ms.No.15 Animal Husbandry, Dairy Development and Fisheries(Fish-II) Department, dt.26.05.2015 issued by the 1st respondent within a period of four (04) weeks from

the date of receipt of a copy of this order.

5. Having regard to the said submission, this Writ Petition is disposed of directing the 2nd respondent to consider the application dt.30.11.2015 made by the petitioners for regularization of their prawn tank/aqua culture farm in accordance with the above G.Os. within a period of four (04) weeks from the date of receipt of a copy of this order. Pending consideration of the same, the 4th respondent shall not remove the bunds erected by the petitioners in the subject lands. There shall be no order as to costs.

6. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.S.RAMACHANDRA RAO, J

02nd December, 2015

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