

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

WRIT PETITION No.9595 of 2015

Between:

Veeravalli Varalakshmi

... Petitioner

And

1. The State of Andhra Pradesh, rep. by its Secretary, Animal Husbandry Dairy Development and Fisheries (Fish-II) Department, Secretariat Buildings, Hyderabad, and others.

... Respondents

DATE OF JUDGEMENT PRONOUNCED: 11-08-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether Reporters of Local newspapers may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment | Yes/No |

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

W.P.No.9595 of 2015

ORDER:

The petitioner states that she is the owner and possessor of agricultural land admeasuring Ac.1.18 cts., in R.S.No.146/2, situated at Dirusumarru Village, Bhimavaram Mandal, West Godavari District. The 5th respondent is a neighbouring agriculturist having an extent of Ac.22.72 cents in the adjacent survey numbers. It appears that the 5th respondent wants to convert his land into fish tank and accordingly made an application on 28.02.2014 for conversion. A certificate of provisional registration dated 26.09.2014 was granted in his favour in accordance with G.O.Ms.No.7 dated 16.03.2013. Final registration is yet to be granted. Challenging the said provisional registration granted in favour of the 5th respondent by the 2nd respondent, the present writ petition is filed.

As per the certificate of provisional registration only the following activities are permitted.

“During the period of registration:-

- a. The farmer should not make major and / or fundamental changes in layout, design, etc., unless prior approval of the DLC is obtained.
- b. The farmer is permitted to carry out repairs, maintenance works and also any minor changes or adjustments required in view of changes in farming practices, introduction of new species, etc., without altering the fundamental design.
- c. Any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration of this new area separately. However, reduction of culture area or capacity does not need

any separate approval.

The petitioner submitted a representation on 11.07.2014 and also issued a legal notice through his advocate on the same day raising objections to the conversion of land into fishpond.

In view of the facts and circumstances of the case, since the final registration certificate is yet to be issued, the 2nd respondent is directed to consider the objections raised by the petitioner before issuing final registration certificate to the 5th respondent, in accordance with G.O.Ms.7, dated 16.03.2013. It is needless to mention that the 2nd respondent shall issue notice to the petitioner at the time of consideration of application of the 5th respondent, in order to put forward her case.

With the above direction the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

A. RAMALINGESWARA RAO, J.

11th August, 2015
Js.