

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.19961 of 2015

Between:

Yarramsetti Krishna

PETITIONER

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Animal Husbandry, Dairy Development and Fisheries Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The petitioner states that he is the absolute owner and possessor of the land admeasuring Ac.1.80 cents situated in R.S.No.650/2A, 3C of Chennuru Village, Pedana Mandal, Krishna District. He submitted an application dated 08.01.2014 to the 3rd respondent for registration of new aquaculture farm in terms of G.O.Ms.No.7 dated 16.03.2013, but no orders were passed by the 2nd respondent. In the meanwhile, it appears that the petitioner converted the land and was undertaking aquaculture activity. In those circumstances, the 5th respondent-Tahsildar, Pedana Mandal issued notice dated 12.06.2015 directing the petitioner to stop aquaculture activity by imposing penalty of Rs.20,000/-. Challenging the same, the present writ petition is filed.

A perusal of the provisions of G.O.Ms.No.7 dated 16.03.2013 shows that in respect of violation of provisions of the Government Order, penalty can be imposed @ Rs.5,000/- per acre. Since the land involved in the present case is Ac.1.61 ½, the amount should not exceed Rs.10,000/-. It is the case of the petitioner that he had already submitted application dated 08.01.2014 seeking permission for conversion of the agricultural land into aquaculture purpose, but so far no orders have been passed by the 2nd respondent.

In the circumstances, I deem it appropriate to direct the 2nd respondent to pass appropriate orders on the application of the petitioner dated 8.01.2014 within a period of 30 days from the date of receipt of a copy of this order. However, it is made clear that the

petitioner shall not continue aquaculture activity in the meanwhile.

With the above direction, the writ petition is disposed of. No costs.

A. RAMALINGESWARA RAO, J.

3rd July, 2015
Js.