

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.34626 OF 2016

and

WRIT PETITION No.32920 of 2016

COMMON ORDER:

Heard Sri T.V.S.Prabhakar Rao, the learned counsel for the petitioners, the learned Government Pleader for Fisheries representing respondent Nos.1 to 3, and Sri G.Raja Babu, the learned counsel for respondent Nos.5 to 9.

2. It is the case of the petitioners that they are owning agricultural land in Survey Nos.98/1A, 3C, 99/2B, 80/6B, 101/1B, 2, 3, 4A1, 105/1A, 105/3 & 4, 103/1A, 100, 101/1A, 107/1A, 107/4, 107/3A, 107/2, 33/3, 5, 6, 33/1B, 33/2A, 33/4A, 34/1B5, 106/4 & 4, 104/3, 101/2 and 4, 34/A, 98/3C and 101/4A2, 107/1C, 34/2, 12/1A3, 45/1B and 34/1B4 & 5 of Munipalle Village, Nidadavole Mandal, West Godavari District. It is the further case of the petitioners that respondent Nos.5 to 9 have taken the agricultural land on lease for the purpose of converting the same as fish tanks. It is the further case of the petitioners that after issuing a notice dated 08.08.2016 calling for objections, respondent Nos.5 to 9 obtained provisional permission from the competent authority on 29.08.2016. Pursuant to the notice, the petitioners submitted a representation on 16.08.2016 raising objections. For one reason or other, respondent Nos.2 and 3 have not disposed of the said representation.

3. At the time of arguments, the only relief sought for by the learned counsel for the petitioners is to direct respondent Nos.2 and 3 to consider and dispose of the representation of the

petitioners dated 16.08.2016. The learned Government Pleader also consented for the same.

4. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

5. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, respondent Nos.2 and 3 are hereby directed to dispose of the representation/objections of the petitioners dated 16.08.2016 in the light of G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated 16.03.2013 and also G.O.Ms.No.15, Animal Husbandry, Dairy Development and Fisheries (Fish) Department, dated 26.05.2015, before granting of final permission to respondent Nos.5 to 9.

6. With the above direction, both the Writ Petitions are disposed of. No costs.

7. Consequently, Miscellaneous Petitions, if any, pending in both the Writ Petitions shall stand closed.

T.SUNIL CHOWDARY, J

Date: 14.10.2016

Note: Issue CC in one week

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