

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.20413 of 2012

ORDER:

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Heard Sri M.Ramachandra Rao holding
for Sri N.V.Ramanujam, learned counsel for
petitioner, Assistant Government Pleader for Revenue for
respondents 1 to 3 and Sri S.Subba Reddy counsel for 4th
respondent.

The petitioner complains against inaction of respondents in preventing 4th respondent from converting agricultural land in an extent of Ac.9-26 cents in R.S.Nos.85 to 89 of Mandalaparru Village, Nidamarru Mandal, West Godavari District, as fish ponds without permission from the District Level Committee as illegal, and arbitrary.

The ownership of 4th respondent to R.S.Nos.85 to 89 of Mandalaparru Village, Nidamarru Mandal, West Godavari District, is not in dispute. The complaint is against the proposed conversion of agricultural land into fish tanks without permission from the competent authority.

The 4th respondent filed counter affidavit. In paragraph '5' of the counter affidavit, it is stated as follows:-

".... I submit I along with the other farmers made application to the authorities to permit us to dig tank. The Gram Panchayat passed a resolution vide No.16, dated 20-08-2011 recommended to dig the fish tank. In fact the Panchayat Secretary, Mandalaparru kept the application in notice board and called for objections from the neighbouring farmers. Since none of the farmers raised objections, Gram

Panchayat also issued no objection certificate. The Tahsildar, Nidamaru also sent a report to the Deputy Director of Fisheries, West Godavari, Eluru.”

It is further stated that the 4th respondent is not digging fish tank as complained by petitioner.

Having regard to the stand taken in the counter affidavit, Mr.S.Subba Reddy appearing for 4th respondent submits that the 4th respondent undertakes change of use of R.S.Nos.85 to 89 after obtaining permission from the competent authority.

The statement is placed on record and no further order is necessary.

The writ petition is accordingly disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

S. V. BHATT, J

Dt: 19-07-2016

Prv

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