

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.39027 of 2016

ORDER:

Petitioners pray for the following relief:

“.....writ of mandamus declaring the inaction of the official respondents to take appropriate further action against respondents 7 and 8, in pursuance to the show cause notice dated 24.08.2016, by strictly following the G.O.Ms.No.15, dated 26.05.2015 and G.O.Ms.No.7, dated 16.03.2013 as illegal, arbitrary, contrary to law and violation of principles of natural justice and consequently direct the official respondents to take appropriate action against respondents 7 to 8 not to cultivate the vannamei shrimp, to dig the bore-well and saultage the water by strictly following G.O.Ms.No.15, dated 26.05.2015 and G.O.Ms.No.7, dated 16.03.2013.....”

Learned Assistant Government Pleader places on record the written instructions, dated 10.11.2016, which read thus:

“With reference to the W.P.No..... filed by Sri Borra Venkateswarlu S/o.Mahalakshmi, it is to submit that respondents 7 and 8 have applied for permission to convert their lands into fish ponds with an extent of Acs.2.75 in R.S.Nos.148/3A, 3C, 149/1,2,3 of Chinapulleru Village of Undi Mandal, West Godavari District. The individuals have been permitted to dig the tank vide provisional registration No.PRF 0116005783 with a condition that not to take up fish culture until grant of final registration of the said tank as per the guidelines of G.O.Ms.No.7 AH & DD (Fish-II) Dept., dated 16.03.2013 and G.O.Ms.No.15, AH & DD (Fish) Dept., dated 26.05.2015.

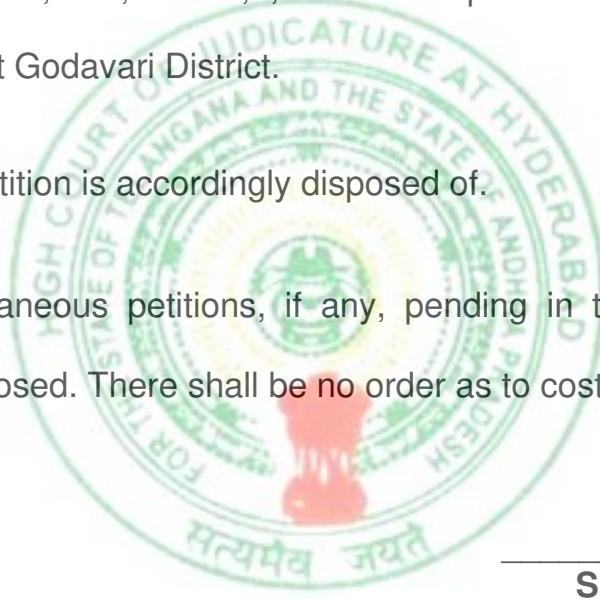
Further, it is submitted that the respondents have violated the conditions of provisional permission and started fish culture without obtaining final permission. Hence, the

provisional permission granted vide Regd.No. PRF 01160005783 was cancelled by the DLC vide Proc.No.573/A3/2013, dated 21.09.2016, duly giving an opportunity of raising objections if any to the respondents. At present, the respondents have not taking up any fish/prawn culture activities in the said lands and bore well also not dug.”

From the above, it is clear, necessary decision is taken and communicated on 21.09.2016. Therefore, having regard to a decision already taken, it shall be the responsibility of respondent Nos.3 to 6 to prevent unauthorized establishment of a fish tank in R.S.Nos.148/3A, 3C, 149/1,2,3 of Chinapulleru Village of Undi Mandal, West Godavari District.

Writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



S.V.BHATT,J

Dt:11.11.2016

kdl

