

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

[Special Original Jurisdiction]

WEDNESDAY THE TWENTYSEVENTH DAY OF APRIL, 2016

PRESENT
HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 29954 OF 2011

Between:

Gorrela Kanakaiah & Anr. ... Petitioners

V/s.

The State of Andhra Pradesh
Rep. by its Secretary, Revenue Department
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: M/s. Bharadwaj Associates

Counsel for the Respondents: GP for Revenue
Sri V.V. Prabhakara Rao
GP for Fisheries

The court made the following: [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 29954 OF 2011

ORDER :

The petitioners complain against the inaction of Respondents 1 to 7 in closing down fresh water fish tanks of respondents 8 and 9 in survey Nos. 268/1, 2-A, 2-A2, 2-B, 269/1 to 4 and 269/2-A of Kanukollu village, Mandavalli Mandal, Krishna district as arbitrary, illegal and unconstitutional.

2. At the time of hearing, learned counsel appearing for the parties submit that with the dismissal of WP.No. 24762 of 2008 the hurdle prevailing for taking any action for respondents 1 to 7 is raised and the grievance of the petitioners is required to be considered.

Sri V.V. Prabhakara Rao appearing for Respondents 8 and 9 submits that his clients have applied under G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries [Fish-II] Department, dated 16/3/2013. Having regard to these developments, this Court is of the view that present writ petition can be disposed of by directing Respondents 1 to 7 to take note of the objections of the petitioners while considering and disposing of representations filed by Respondents 8 and 9 in terms

of G.O.Ms.No.7 dated 16/3/2013 positively within a period of two months from the date of receipt of a copy of this order.

3. Having regard to the fact that merely five years have expired from the date of filing of the writ petition till date, the petitioners are given liberty to make fresh representation to impress upon the authorities on the continuation or otherwise of fish tanks by reference to the soil condition as on date.

4. Writ Petition is disposed of with the above observation.

No costs.

5. As a sequel, miscellaneous petitions if any, pending in this Writ Petition shall stand closed.

JUSTICE S.V. BHATT

27/4/2016
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HONOURABLE SRI JUSTICE S.V. BHATT

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