

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.3040 of 2016

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ORDER:

This Writ Petition is filed complaining the inaction on the part of the respondent authorities in preventing the respondent Nos.5 and 6 from digging the fish ponds without obtaining necessary permissions as required and without following the procedure as required under G.O.Ms.No.7, dated 16.03.2013.

Taking into consideration of the allegations this Court on 03.02.2016 granted interim direction for a period of two weeks. Thereafter, the interim order was extended by another four weeks on 16.02.2016. Now the matter is listed for extension of interim orders.

Learned counsel for the petitioner submits that the petitioner can have no objection whatsoever if the necessary permissions as required under G.O.Ms.No.7 are obtained from the respondent No.2 by the respondent Nos.5 and 6.

In the mean while on behalf of the respondent Nos.5 and 6 a counter affidavit and vacate petition has been filed. In the counter affidavit it has been categorically asserted by the 5th and 6th respondents that they had made an application in terms of G.O.Ms.No.7, and the allegation of the petitioner that they are proceeding without obtaining provisional permission as required under G.O.Ms.No.7, has been categorically denied. However, it has also been stated that the lands surrounding their lands have already been converted into fish ponds and thereby they are forced to do the same as they are unable to cultivate their lands.

Considering the narrow compass of the controversy in issue the writ petition itself is being disposed of with the consent of the parties.

It is not in dispute that the certain permissions are required to be

obtained by them provisionally as well as finally for digging fish ponds in terms of G.O.Ms.No.7, dated 16.03.2013. It is also not being disputed that as on date respondent Nos.5 and 6 have not yet been granted such permission. However, their applications are still pending consideration with authorities. In that view of the matter and considering the very assertion on the part of the respondent Nos.5 and 6 that they will not proceed with digging of the fish ponds without obtaining permission, recording the submission made on their behalf, Writ Petition is disposed of. However, it is needless to mention that the respondent authorities shall ensure no activity of digging fish tanks shall be undertaken by the respondent Nos.5 and 6 before the necessary permissions are granted by them.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

16th March, 2016
Ssv