

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.8606 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ order or orders more particularly in the nature of Writ of Mandamus declaring the action of the respondent No.2 in granting permission of certificate of registration to the 7th respondent of fresh water Aqua culture farm/seed farm in Sy.No. 34, 36 and 39 situated at Munipampula Village, Ramannapeta Mandal, Yadadri District besides the petitioner's agriculture lands situated at Sy.No.37 to an extent of Ac.18.32 guntas situated at Munipampula Village, Ramannapeta Mandal, Yadadri District as illegal, arbitrary, violation of provisions of Constitution of India and set aside the same.”

2. Heard the learned counsel for the petitioner and learned Government Pleaders for Revenue and Fisheries for the respondents.

3. When the matter is called, a preliminary objection with regard to maintainability of the writ petition is taken by the learned Government Pleaders saying that the order granting permission of certificate of registration granted in favour of the 7th respondent is appealable and Commissioner of Fisheries is the appellate authority, as per G.O.Ms.No.7, dated 16.03.2013.

4. In view of the above said alternative remedy of appeal before the Commissioner of Fisheries, this Court is not inclined to entertain the present writ petition. However, it is open for the petitioner herein avail the said alternative remedy of appeal before the Commissioner of Fisheries.

5. Accordingly, this writ petition is disposed of, with a liberty to avail the alternative remedy. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

13.03.2017

A.V.SESHA SAI, J

*Note: Issue C.C. in one week.
B/o.SS*

