

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION Nos.13256 & 4348 of 2017 and 42015 of 2016

COMMON ORDER:

Since these three writ petitions are inter-related, this Court deems it appropriate to dispose of the writ petition by way of this common order.

Heard and perused the record.

Petitioners in WP No.13256 of 2017 and 4348 of 2017 are the same and they are respondent Nos.7 to 9 in WP No.42015 of 2016. According to the petitioners in WP No.13256 of 2017 provisional permission for digging the tanks for aquaculture has been granted by the authorities on 23.05.2016 and applications for final permission are pending before the 2nd respondent. According to the petitioners in WP No.42015 of 2016, they are Ryots having lands in the vicinity where the lands of the petitioners in WP Nos.13256 and 4348 of 2017 are situated.

It is submitted by the learned counsel for the petitioners in WP No.42015 of 2016 that their lands are agricultural wet lands and if the petitioners in WP Nos.13256 and 4348 of 2017, who are respondent Nos.7 to 9, are permitted to carry on aquaculture in their lands, the lands of the petitioners in WP No.42015 of 2016 would become saline and useless. According to the learned counsel for the petitioners in WP No.42015 of 2016 the agricultural lands cannot be permitted to convert for aquaculture. Admittedly, in the present matter, the applications for final permission are pending consideration before the 2nd respondent.

Having heard the arguments of the respective parties, this Court is of the considered view that the ends of justice would be served if the

2nd respondent is directed to consider the applications of the petitioners in WP Nos.13256 and 4348 of 2017 for grant of final permission and the objections of the petitioners in WP No.42015 of 2016 simultaneously, after giving notice to all the stakeholders, and take decision in the matter.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider the applications of the petitioners in WP Nos.13256 and 4348 of 2017 for grant of final permission as per law, and also the objections of the petitioners in WP No.42015 of 2016 simultaneously, after giving notice to all the stakeholders, and take decision in the matter. This exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.

No order as to costs. The miscellaneous petitions filed in this writ petition shall also stand dismissed.

April 25, 2017

Note:

Furnish CC in three (3) days.

B/O.
KTL

A. V. SESA SAI, J