

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

WRIT PETITION No.1557 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 Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action 5th respondent in interfering and harassing the petitioners farms in 1st Petitioner lands in R.S.No. 38/1 total an extent of Ac. 11.46 cents and 2nd Petitioner lands in R.S.No. 38/1/A1 total an extent of Ac. 1.50 cents, 3rd Petitioner lands in R.S.No. 38/1/b2 total an extent of Ac. 8.96 cents, 4th Petitioner lands in R.S.No. 38/2 total an extent of Ac. 0.34 cents, 5th Petitioner lands in R.S.No. 38/1/b1 total an extent of Ac. 2.00 cents, 6th Petitioner lands in R.S.No.39 total an extent of Ac.1.84 cents, 7th Petitioner lands in R.S.No. 38/1/A2 total an extent of Ac.7.35 cents situated at Pedapatnam Village, Machilipatnam Mandal, Krishna District for cultivation of prawn tank, even though the petitioners are having permission since 2002 from the authority is illegal, arbitrary and violation of Coastal Aquaculture Authority Act, 2005 and violative of Article 14, 21 19(1)(g) and 300-A of the Constitution of India and consequently direct the authorities to grant permission for prawn tank without any further delay and direct the respondents not to interfere with the operations of the aquaculture farms of the petitioners in the

interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. When the matter is called, a letter dated 06.01.2017, addressed by the Fisheries Development Officer, Machilipatnam, to the Government Pleader for Fisheries has been placed on record by the learned Government Pleader and the same reads as under:

" Sub: Fisheries – WP filed by Gadireddy Satyanarayana Reddy S/o.Sastrulue & 6 otehrs R/o. Lingavaram Village, Krishna District – instructions submitted – Reg.

Ref: 1. WP filed by Gadireddy Satyanarayana Reddy S/o Sastrulu & 6 others R/o Lingavaram Village, Krishna District in Hon'ble High court of judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.

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I submit that the petitioner Gadireddy Stayanarayana Reddy S/o.Sastrulu and 6 others R/o. Lingavaram Village, Krishna District, have filed W.P.No.1557 of 2017 in Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh for seeking relief that 5th respondent not to interfere with repairs maintenance works and digging operations of the aquaculture in petitioners ponds.

Further, it is to submit that the Petitioners 1 to 6 have applied for registration with Coastal Aquaculture Authority, Cheinna along with necessary applications and requisite fee paid on 06.12.2016. The petitioners applications are yet to be inspected by the District Level Committee Members for onward submission to the Coastal

Aquaculture Authority, Chienna with due recommendations for granting permissions.

I have never interfere in this issue so far.

Further, it is submitted that the District Level Committee Members will be inspected the petitioners lands and action will be initiated as per rules and guidelines of CAA Act, 2005

This is submitted for favour of kind information and necessary action.

Yours faithfully

Sd/- XXXXX

*Fisheries Development Officer
Machilipatnam, Krishna District”*

3. Reiterating the same, it is submitted by the learned Government Pleader that the respondent have never interfered with the petitioner. On seeing the same, it is submitted by the learned counsel for the petitioner that the same may be recorded.

4. Recording the said submission, the writ petition is disposed of, by placing on record the contents of the above said letter dated 06.01.2017. However, this order will not preclude the respondents from taking action, in accordance with law.

5. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

**27.01.2017
SS**