

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No. 5169 of 2017

ORDER :

This writ petition is filed under Article 226 of the Constitution of India challenges the alleged inaction on the part of respondents in not granting certificate for provisional Registration of new fresh water aquaculture fish ponds.

2. Counter-affidavit deposed by the Deputy Director of Fisheries, Eluru-3rd respondent, is filed, stating that the applications of the petitioners were placed before the District Level Committee and the Committee rejected the same and in support of the same, an endorsement dated 03.03.2017, issued by the Deputy Director of Fisheries, Eluru, West Godavari District, is placed on record, which says that the permission is rejected on the ground that the subject land is a 'Bhoodan land' as per the report of the Tahasildar. It is also the submission of the learned Government Pleader that as per G.O.Ms.No.7 Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated 16.03.2013, the petitioners has the alternative remedy of appeal to the Commissioner of Fisheries, Government of Andhra Pradesh.

3. In view of the above alternative remedy, this Court deems it appropriate to dispose of the writ petition with liberty to the petitioners herein to file appeal against the order of the rejection, if they are advised to do so.

4. With the above observation, the Writ Petition is disposed of.

No costs.

5. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.V. SESA SAI, J

16th March 2017

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