

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.17597 of 2017

ORDER:

This writ petition is filed challenging the inaction of respondent Nos. 2 to 7 in taking appropriate steps for stopping the digging of fish tanks by respondent Nos.8 to 12 in their lands in survey Nos.218/1, 219/1, 219/2, 219/3 and 219/4 situated at Chinalingala Village, Nandivada Mandal of Krishna District, despite order, dated 20.05.2017, of the second respondent and the objections of the petitioner.

2. It is submitted by the learned counsel for the petitioner that though respondent Nos.8 to 12 obtained provisional permission, questioning the said permission, the petitioner preferred an appeal before the appellate authority – second respondent, who, by order, dated 20.05.2017, remanded the matter to the District Level Committee, Krishna District, with a request to republish the notice as per Clause 7.29 of G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dated 16.03.2013, by giving wide publicity, re-examine the case as per the Government Rules in vogue and then, take a final decision thereon.

3. The learned counsel for respondent Nos.8 to 12 has submitted that so far no decision was taken by the District Level Committee and in the meanwhile, in view of the provisional permission, these respondents have already dug up fish tanks.

4. Since the matter is remanded to the District Level Committee, this Court is not inclined to entertain the present writ petition, except directing the District Level Committee, Krishna District, to consider the case of the petitioner and respondent Nos.8 to 12 pursuant to the remand of the same by the appellate authority – second respondent, in accordance with law,

within a period of thirty days from the date of receipt of a copy of this order.

Till such time, respondent Nos.8 to 12 shall maintain *status quo*.

5. Subject to the above directions, the Writ Petition is disposed of.

6. As a sequel to disposal of the writ petition, W.P.M.P.Nos.21484 and 21485 of 2017 and W.V.M.P.No.2889 of 2017 shall stand disposed of as infructuous.

A.RAMALINGESWARA RAO, J

17th August, 2017

GHN

