

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.22901 OF 2017

ORDER

The petitioners claim that they are agriculturists and own agricultural land admeasuring Ac.6.17 cents in Sy.Nos.82-2 & 82-3 and Ac.4.85 cents in Sy.Nos 83-5, 81-1 & 82-1, situated at Pillanka Village, Tallarevu Mandal, East Godavari District. Since their neighbouring land owners have converted their lands into Fresh Water Aqua Culture Farms, the lands of the petitioners are not fetching proper income. Hence, they submitted an application to the 2nd respondent for provisional registration and the same was issued on 16.3.2015. Based on the said provisional registration, they converted their lands into tank and dug borewells. They also applied for final registration in the month of June, 2015. Pending consideration of the said final registration, the petitioners have dropped prawn seed in the month of July. As no orders were passed on the final registration, they have submitted another application in May, 2016. The petitioners admit that they were continuing the prawn culture from the year 2016-17. In those circumstances, when a notice was issued by the

4th respondent on 4.7.2017 to stall the prawn culture and directed the petitioners to do Fresh Water Aqua Culture after obtaining Final Registration Certificate, the present writ petition is filed.

The petitioners obtained provisional registration certificate under G.O.Ms.No.7, dated 16.3.2013, which enables them to convert the land for prawn culture or aqua activity, but they cannot utilise the converted land into tank for prawn culture, without obtaining final registration.

In view of the averments made in the affidavit filed in support of the writ petition, the activity undertaken by the petitioners is irregular and in those circumstances only, the 4th respondent issued the said notice on 4.7.2017 and it cannot be said that same is illegal. The petitioners are restrained from undertaking any aquaculture without obtaining any final registration.

Since the petitioners have already applied for final registration the month of June, 2015 & May, 2016, the District Level Screening Committee-2nd respondent is directed to consider the same and pass appropriate orders thereon, within a period of two months from the date of receipt of a copy of this

order. Till such time, the 4th respondent shall see that the petitioners do not undertake any aqua activity in the land.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

26th October, 2017
rkk

