

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.761 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“...declaring the inaction of respondent No.2 and 3 in respect of conversion of the lands of the 4th respondent in Sy.No.41/3A, 42/1B, 42/1A, 42/2A, 40/11/B2, 40/11/D and 40/11/1A of Eeduru Village, Attili Mandal, West Godavari District situated on sough and northern side of the petitioners' lands into fish tank contrary to the G.O.Ms.No.7 dated 16.03.2013 by considering the complaints of the petitioners dated 13.12.2016 and 19.12.2016 as illegal, arbitrary, contrary to the provisions under the statute as well as violation of Article 21 of Constitution of India.”

2. Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue. With their consent, the writ petition is disposed of at the stage of admission. Since this Court is not dealing the case on merits, it may not be necessary to issue notice to respondent No.4.

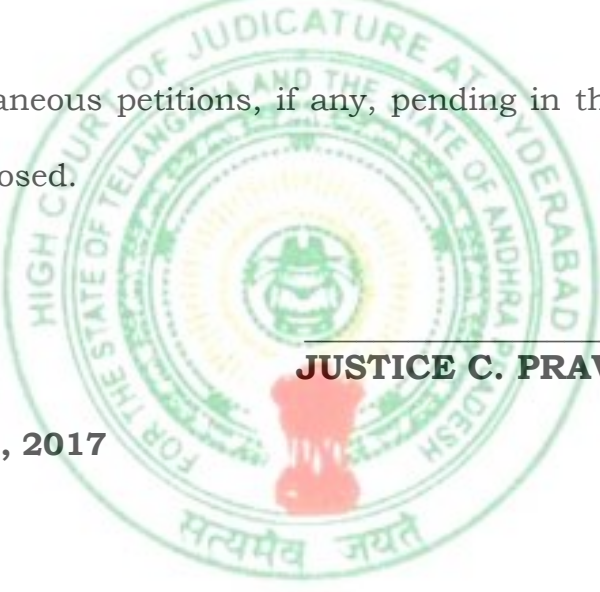
3. Though various grounds are raised in the writ petition, learned counsel for the petitioners seek a direction to the Tahsildar to consider the representations dated 13.12.2016 and 19.12.2016 submitted by the petitioners questioning the action of the unofficial respondent in trying to dig fish ponds, in the lands adjacent to their lands.

4. Learned Assistant Government Pleader for Revenue submits that the Tahsildar may be directed to consider the request of the petitioners, after obtaining necessary instructions from the

authorities concerned as to whether permission was granted to dig ponds and consider in accordance with law.

5. Recording said statement, the Writ Petition is disposed of directing the Tahsildar to consider the representations dated, 13.12.2016 and 19.12.2016 made by the petitioners questioning the action of the 4th respondent in digging fish ponds, in accordance with law, as early as possible, preferably within a period of four (04) weeks from the date the date of receipt of copy of this order, after hearing the petitioners and also unofficial respondent. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.



JUSTICE C. PRAVEEN KUMAR

JANUARY 05, 2017
YVL

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Date:05.01.2017

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