

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

W.P.M.P.No.21951 of 2017
IN/AND
WRIT PETITION No.12489 of 2017

ORDER :

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“to issue any writ, order or direction more particularly one in the nature of Writ of MANDAMUS, declaring the Provisional Registration of Fresh water Aquaculture Farm vide Registration No.PRF011600015854 dated 15.01.2017 issued in favour of respondent nos.5 & 6 by the 2nd respondent as arbitrary, illegal, violative of Article 19(1)(g), 300-A of the Constitution of India and also violative of Regulations issued under G.O.Ms.No.7 dated 16.03.2013 as amended in G.O.Ms.No.15 dated 26.05.2015, and consequently set aside the Provisional Registration of Fresh Water Aquaculture Farm Registration No. PRF011600015854 dated 15.01.2017, consider the objections submitted by the Petitioners herein and thereby reject the proposal of the respondent nos. 5 & 6 from converting the agricultural lands into Aquaculture Farm and pass such other order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

While ordering W.P.M.P.No.21951 of 2017 to implead the Commissioner of Fisheries as 7th respondent, from the instructions to the Learned Government Pleader for Fisheries appearing for respondents 1 to 4 and 7, from hearing of the learned counsel for respondents 5 and 6 and also from considering the prayer in the writ petition with the supporting affidavit along with material annexed to it, the Writ Petition is disposed of at the stage of admission, with the following directions:

In view of the representation made by the petitioners to the 7th respondent-Commissioner of Fisheries, who is the appellate authority, being aggrieved by the permission said to have

been granted to respondents 5 and 6 for aqua cultivation on 15.01.2017 pursuant to G.O.Ms.No.15 AH DD&F(FISH) Department dated 26.05.2015, the 7th respondent is directed to decide the appeal after hearing both sides, within one month from the date of receipt of copy of this order. However, respondents 5 and 6 are directed not to cultivate any fish/prawn which are not seeded in the tanks, for a period of one month from today. Both parties are directed to appear before the 7th respondent on 19.06.2017. It is needless to state that if any interim application is filed by virtue of this order, the same shall be disposed of, in the meantime.

Consequently, miscellaneous petitions, if any, pending shall stand closed. No costs.

Date:09.06.2017

Note:
Issue C.C. on 12.06.2016.

B/o.
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Dr. B. SIVA SANKARA RAO J,



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