

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.41193 OF 2014

ORDER:

Heard Ms. S. Pranathi for petitioner, the learned Assistant Government Pleader for Fisheries and Mr. T.V.V. Koteswara Rao for respondent Nos.5 and 6.

2. The petitioner prays for mandamus declaring the action of respondent Nos.1 to 4 in not restraining respondent No.5 in converting agricultural lands into fish ponds in R.S.Nos.140/16 and 140/17 of Gannavaram Village, without permission from District Level Committee under G.O.Ms.No.7, dated 16.03.2013, as illegal, arbitrary and unconstitutional.

3. The counsel appearing for respondent Nos.5 and 6 submits that respondent Nos.5 and 6, in fact, applied for permission in terms of the Government Orders referred to above and therefore, the Writ Petition is filed on mere apprehension. He fairly submits that either for conversion of agricultural land or continuation of aqua culture activity, permission is required.

4. The statement of respondent Nos.5 and 6 is placed on record.

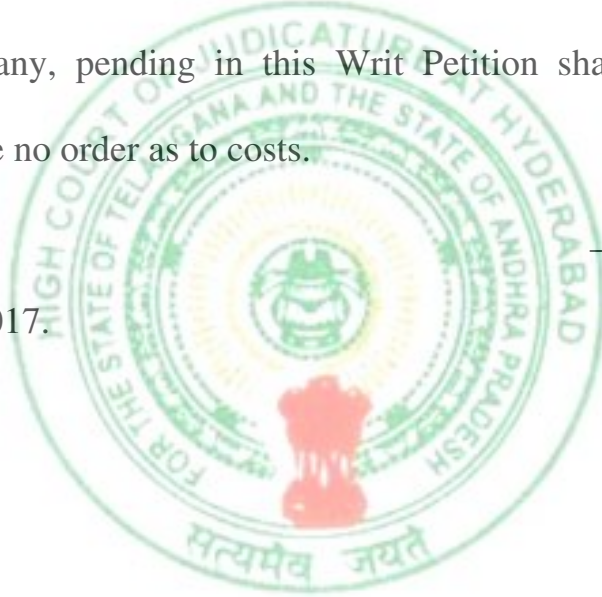
5. The Assistant Government Pleader submits that the application already filed by respondent Nos.5 and 6 is considered and rejected by the District Level Committee.

6. Be that as it may, either way I am satisfied that the Writ Petition can be disposed of by directing respondent Nos.1 to 4 to ensure that the petition land is not changed into fish tanks except in accordance with the procedure stipulated by the Government Orders. Respondent Nos.5 and 6 are also given opportunity to workout their grievance, if any, if an order adverse is passed on the application filed by them.

7. Writ Petition is disposed of accordingly. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

August 07, 2017.
MD

S.V. BHATT, J



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