

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION Nos.39570 AND 39607 of 2017

COMMON ORDER :

Since the issue involved in both the writ petitions is one and the same, they are heard together and being disposed of by this common order.

The case of the petitioners is that they are granted permissions in respect of their lands for fresh water aquaculture farm as per guidelines under G.O.Ms.No.7 dated 16.3.2013 and that the permission is valid and subsisting till today. However, the respondents, without having any authority, issued the impugned notice dated 8.11.2017 and interfered with the activities of the petitioners, which is being carried on as per the permission granted by the competent authority.

On the other hand, the learned Assistant Government Pleader for Irrigation submitted that only a notice was issued to the petitioners informing that if they fail to comply with the conditions specified therein, higher authorities will be informed about the violations. It is stated that till appropriate action is initiated, the respondents will not interfere with the activities of the petitioners.

As seen from the record, the permissions granted to the petitioners under G.O.Ms.No.7 dated 16.3.2013 are still valid and subsisting. The learned counsel for the petitioners submits that the petitioners' lands are situated in branch canal No.1, but whereas, notices were issued in respect of branch canal No.3 and the notices do not indicate as to whose lands are affected. But the

Assistant Government Pleader states that the petitioners are letting the excess water into the irrigation canals through cement pipes and that the authorities closed those cement water pipes. In any case, as submitted by the learned Assistant Government Pleader for Irrigation, it is only a notice and it is stated that the higher authorities will be informed about the violations in the activities of the petitioners. In view of the same, the respondent-authorities

are directed not to interfere with the activities of the petitioners. But, however, this order will not preclude the competent authorities from taking appropriate action against the petitioners in accordance with law.

With the above directions, the writ petitions are disposed of. It is open for the competent authority to take appropriate action as per G.O.Ms.No.7 dated 16.3.2013. No costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

23rd November, 2017

Tsr

A. RAJASHEKER REDDY, J