

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.6313, 6278 and 6535 of 2017

COMMON ORDER:

All these three Writ Petitions are disposed of by this common order as the grievance of petitioners is same though the 8th respondent is different in all these three Writ Petitions.

2. These three Writ Petitions were filed seeking a direction to the official respondents to take action against the 8th respondent in all these three writ petitions for their illegal digging and cultivating fish/prawn tanks in their lands of an extent of Ac.06-11 cents in Survey Nos.6, 7 and 10; Ac.04-97 cents in Survey Nos.7/3, 7/4, 8/2 and 9/1; and Ac.02-315 cents in Survey Nos.5 and 6/1, situated at Pippara Village, Ganapavaram Mandal, West Godavari District.

3. It is alleged that the 8th respondent in all three writ petitions, without obtaining proper permission in accordance with G.O.Ms.No.7, dated 16.03.2013, and G.O.Ms.No.15, dated 26.05.2015, have converted their agricultural lands as fish/prawn tanks and have been doing Aquaculture activity in the said lands.

4. Though, no counter-affidavit is filed by the 8th respondent and the Government in all three writ petitions, learned counsel for the 8th respondent submits that appropriate permissions were obtained by the 8th respondent in all the writ petitions for conversion of their lands. In the absence of any counter-affidavit or material, this Court cannot go into the merits of the case and decide the issue.

5. In the circumstances, these matters are remanded to the 2nd respondent, who is a competent authority, for granting of permissions. The 2nd respondent shall look into the record and issue appropriate notice to the petitioners and 8th respondent in all three Writ Petitions and take necessary action in accordance with law, if there is any violation of law contained in the said G.O.Ms.No.7, dated 16.03.2013 and G.O.Ms.No.15, dated 26.05.215, within a period of two (2) months from the date of receipt of a copy of this order.

6. Accordingly, all these Writ Petitions are disposed of. Miscellaneous petitions, if any, pending in all these Writ Petitions shall stand closed. There shall be no order as to costs.

APRIL 27, 2018
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A.RAMALINGESWARA RAO, J



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Date:27.04.2018

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