

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6449 OF 2017

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for respondents 1 to 7.

In spite of service of notice on eighth respondent, none appeared.

In spite of taking notice by the learned Government Pleader on 22.03.2017, the Government Pleader did not file counter affidavit.

The petitioners state that the first petitioner is the absolute owner and possessor of residential plot admeasuring Acs.274.26 square yards situated in Survey No.256/2A, nearest D.No.4-15, situated at Visakoderu Village, Palakoderu Mandal, West Godavari District. Similarly, the other petitioners are also having separate plots in the same survey number. One Manne Atchuta Ramaiah was the absolute owner of the land of an extent of Acs.1.00 in Survey No.256/2A of the same village and on his demise, his wife, by name, Varalakshmi, and son succeeded to the said property. The wife submitted an application on 30.03.2013 before the fourth respondent for conversion of the agricultural land for non-agricultural purposes by collecting an amount of Rs.3,04,000/-. The said Varalakshmi divided the schedule land into residential plots and sold the same to petitioners and others. While so, the eighth respondent, who is the owner and possessor of the agricultural land admeasuring Acs.2.00 in Survey No.256/1A of the same village used to raise paddy crop for a long time. The said land is situated on the northern side of the plots of the petitioners and others. When the eighth respondent is converting his land for aquaculture activity, the petitioners submitted a representation dated 21.12.2015 to the fourth respondent, followed by another representation on 06.02.2017 to the District Collector. In spite of the same, when no action was taken, the present writ petition was filed.

As stated above, even after service of notice, eighth respondent did not appear before this Court and the Government Pleader did not file counter affidavit on behalf of the officers.

Under the circumstances, this writ petition is disposed of directing the respondents 3 to 7 to inspect the lands of the eighth respondent situated in Survey No.256/1A of Visakoderu Village, Palakoderu Mandal, West Godavari District, and if any aquaculture activity is being undertaken by the eighth respondent without obtaining proper permission, necessary action shall be taken against the eighth respondent within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly allowed. Consequently, miscellaneous petitions, if any pending, in the writ petition shall stand closed.

26.04.2018
pln



A.RAMALINGESWARA RAO, J