

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 12149 OF 2007

ORDER :

This writ petition is filed to declare the action of the un-official respondents 5 to 11 to cultivate aqua prawn culture in the neighbouring lands belonging to the petitioners as wholly illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently to direct the un-official respondents to take immediate steps for closing the prawn tanks dug by the un-official respondents surrounding the lands of the petitioners and to pass appropriate order as this Court may deem fit and proper in the circumstances of the case.

2. The brief facts of the case according to the petitioner are that the petitioner No.1 and 2 are the owners of land admeasuring Acs: 2-80 cents in survey No. 693/3 situated at V.Kothapalem, Kodur Mandal, Krishna district; the petitioner No.3 is the owner of

the land admeasuring Ac: 1-70 cents and the petitioner No.4 is the owner of the land admeasuring Acs: 2-30 cents in survey No. 693/3; while the petitioner No.5 is the owner of the land admeasuring Acs: 5-09 cents in survey No. 698 situated at V. Kothapalem, Kodur Mandal, Krishna district; the lands of the un-official respondents are situated in survey Nos. 693/3-A, 694/2, 696 and 697/2; the un-official respondents are using salt water for aqua prawn culture and the salt water is entering into the lands of the petitioners because of seepage, as such the petitioners are not in a position to raise any crop in their lands; petitioners submitted a representation to the official respondents to take appropriate steps for closing down the prawn tanks dug by the un-official respondents; on 30/11/2016 the Mandal Revenue Officer, Koduru, Krishna district issued a notice to the un-official respondents calling upon them to close the tanks.

5. Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue on behalf of respondents 1 to 4.

6. Today when the matter came up for hearing, the learned Government Pleader passed on written instructions issued by the Tahsildar, Koduru, Krishna district, stating that pursuant to the notice dated 30/11/2016 issued by the then Mandal Revenue Officer, Koduru, the respondents 5 to 11 have closed the prawn tanks dug by them in V. Kothapalem village and now the lands are being irrigated with wet paddy on par with the neighbouring ryots. Tahsildar also enclosed the true copy of the statement given by petitioners 1 and 2 stating that the un-official respondents 5 to 11 have closed their prawn tank dug by them. The learned counsel for the petitioners does not dispute the same.

7. In view of the above facts and circumstances, the writ petition is closed, as no further orders are necessary . No costs.

8. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE KONGARA VIJAYA LAKSHMI

10/07/2018
I s L



HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI



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