

WRIT PETITION No.17617 of 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“to issue an appropriate writ or direction, more particularly one in the nature of Mandamus or any other appropriate writ declaring that the action of the respondents in stopping of ongoing Fish Pond excavation works on oral instructions of the 3rd respondent until further orders by issuing of impugned memo No.B/ 13/ 2017 dt.11.05.2017 by the 5th respondent over the lands in Sy.No.32, 34 to 36, 39, 41 and 52 to 55 situated at Munipampula village, Ramannapet mandal, Yadari Bhongir (Nalgonda) district as illegal, arbitrary, unilateral, without any reasons and against the principles of natural justice and violating of Article 14, 21 of the Constitution of India and consequently suspend the impugned memo No.B/ 13/ 2017 dt.11.05.2017 issued by the 5th respondent herein.....”

2. Heard the learned counsel for the petitioners, learned Government Pleaders for Fisheries and Revenue for respondent Nos.1 to 5 respectively and Sri S.Chandra Mohan Reddy, learned counsel for respondent Nos.6 to 8 and perused the prayer in the writ petition with supporting affidavit, counter and the written instructions submitted by the District Fisheries Officer i.e., respondent No.4.

3. In fact, leave about the other contentions. A perusal of the written instructions submitted by respondent No.4 shows that other than the land issue, the committee opined that there is no uncertainty in construction of fish pond, thereby, there is nothing to interfere with the civil dispute between the petitioners and the unofficial respondents, but for, to adjudicate the same in a civil Court, if at all.

4. Accordingly, the Writ Petition is disposed of.

5. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 09.02.2018
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