

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos. 40039 of 2018, 28062 and 41460 of 2017

COMMON ORDER:

Since the subject matter in these writ petitions relates to the same premises, i.e., land in Survey No. 337/ 1 of Chinapalaparru Village, Mudinepalli Mandal, Krishna district, these writ petitions are being disposed of by a common order.

2. W.P.No. 40039 of 2018 came to be filed seeking writ of *mandamus* declaring the action of the 3rd respondent in issuing notice dated 01.10.2018, without considering the application of the petitioner dated 31.08.2017 and 02.11.2017 for final registration of fish pond, as illegal, arbitrary and consequently direct the respondents and their officials not to interfere with the fresh water aquaculture pond in an extent of 3-29 cents in Survey No. 337/ 1 of Chinapalaparru Village, Mudinepalli Mandal, Krishna district.

3. W.P.No. 28062 of 2017 came to be filed seeking issuance of writ of *mandamus* declaring the action of the 2nd respondent in granting Certificate of Registration in favour of the 4th respondent for fresh water aquaculture farm in Survey No. 337/ 1, admeasuring Ac.3.29 with a water spread area of Ac.2.64, situated in Chinapalaparru Village, Mudinepalli Mandal, Krishna district, vide Registration No.PRF 011700025402, dated 05.07.2017, which land is situated on the eastern side of the agricultural lands of the petitioners, without considering the

representation given by the petitioners and others to the District Collector, Krishna District, dated 19.06.2017, as illegal, arbitrary and improper.

4. W.P.No. 41460 of 2017 came to be filed seeking issuance of writ of *mandamus* declaring the action of the respondents in not processing and not issuing the final registration certificate to the petitioner in respect of fish tank in Survey No. 337/ 1, as illegal, arbitrary and improper.

5. Heard both sides.

6. Having regard to the fact that the request of the petitioners in W.P.No. 40039 of 2018 and W.P.No. 41460 of 2017 for conversion of agricultural land into fish tank, is rejected, nothing survives for adjudication in these two writ petitions. Therefore, giving liberty to the petitioners to challenge the rejection orders, both these writ petitions are disposed of.

7. However, the counsel for the petitioner in W.P.No. 40039 of 2018 submits that fish seedlings are there on the subject land. Hence, *status quo* as on today to be maintained for a period of three weeks, enabling the petitioner in W.P.No. 40039 of 2018 to avail the remedy available to him under law, since his grievance appears to be that the order passed by the respondents, rejecting his request for conversion of the agricultural land into a fish tank, has not been communicated to him so far.

8. Insofar as W.P.No. 28062 of 2017 is concerned, it appears that the grievance of the petitioners has been addressed to, as the

request of the 4th respondent therein (petitioner in W.P.No. 41460 of 2017) for conversion of agricultural land into fish pond, was rejected.

9. Accordingly, these writ petitions are disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in these Writ Petitions shall stand closed.

JUSTICE C. PRAVEEN KUMAR

14.11.2018
DMG

