

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 44911 of 2018

O R D E R:

In this writ petition, petitioner assails the proceedings, dated 16.11.2018, issued by respondent No.3-Collector & Chairperson, Fresh Water Aqua Culture District Level Committee, East Godavari District, granting permission in favour of respondent No.5 for operating fresh water aqua culture in the land to an extent of Acs.6.00 of various survey numbers situated at Gudala Village, Allavaram, East Godavari District.

The petitioner asserts that on an earlier occasion, he filed W.P.No.37224 of 2016 objecting the digging of fish tanks by respondent No.5 and this Court disposed of the same on 12.09.2017 directing respondent No.3 to take appropriate action strictly in terms of G.O.Ms.No.7, dated 16.03.2013, as amended by G.O.Ms.No.15, dated 26.05.2015. He further asserts that he filed his objections, but, respondent No.3 without considering the same, issued the impugned proceedings.

Learned counsel for the petitioner submits that the petitioner filed an Appeal before respondent No.2-Commissioner of Fisheries, Government of Andhra Pradesh, Vijayawada and that as on date, no orders have been passed therein.

Learned Government Pleader for Fisheries (Andhra Pradesh) submits that the impugned proceedings were issued based on the approval of the Chairman & District Level Committee Members intimating the permission granted to

respondent No.5 and as the interests of private parties are involved, no order could be passed at this stage without issuing notice to respondent No.5. He further submits that since the Appeal filed by the petitioner is stated to be pending, a direction may be given to respondent No.2 to dispose of the same.

Having considered the respective submissions and since the Appeal filed by the petitioner is pending, the writ petition is disposed of directing respondent No.2 to pass orders in the Appeal in conformity with the procedure prescribed, within a period of two weeks from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of. There shall be no order as to costs.

Dt:12.12.2018

Note: Issue cc in two days.
kdl

CHALLA KODANDA RAM, J