

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI-

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

: PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND



IA No. 1 OF 2022

IN

WP NO: 18067 OF 2022 ✓

Between:

Akula Satyanarayana, S/o. Satyam, aged 65 years, Occ- Agriculture, R/ o. D. No. 5-22, Challapalli Village, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District, Formerly East Godavari District).

...Petitioner

(Petitioner in WP 18067 OF 2022
on the file of High Court)

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary fisheries, Dairy Development and Animal Husbandry Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. The Chief Commissioner of Land Administration (CCLA), D.No 22-19, CCLA Office road, Saipuram Colony, Gollapudi, Vijayawada, Andhra Pradesh 521225.
3. The Commissioner and Director, Department of Fisheries, Government of Andhra Pradesh At Bandaru Road, Poranki, Vijayawada.
4. The District Level Committee for Registration of Aquaculture,, Dr. BR Ambedkar Konaseema District, rep. by its Chairman-cum- District Collector, D. BR Ambedkar Konaseema District, Amalapuram.
5. The Revenue Divisional Officer, Amalapuram Division, Amalapuram, Dr. BR Ambedkar Konaseema District.
6. The Joint Director of Fisheries and Member Convener, District Level Committee, Dr. BR Ambedkar Konaseema District, Amalapuram.
7. The Mandal Level Committee, Fresh Water Aquaculture, Uppalaguptham Mandal, Rep.by its Chairman-cum-Tahsildar, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District.
8. Fisheries Development Officer and Convener Mandal Level Committee,, Fresh Water Aquaculture, Veeravasaram, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District.
9. Superintendent Engineer, Jalavanarulu, Irrigation Department, Dr. BR Ambedkar Konaseema District, Amalapuram.
10. The Deputy Executive Engineer, Irrigation Sub-Division, Amalapuram, Dr. BR Ambedkar Konaseema District,
11. The Assistant Executive Engineer, Irrigation Department, Amalapuram, Dr. BR Ambedkar Konaseema District,
12. Akula Venkateswara Rao, S/o. Satyam, aged 56 years, Occ- Agriculture, R/o. Challapalli Village, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District. (Formerly East Godavari District).

...Respondents

(Respondents in-do-)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the official respondents to stop all activities connected to aqua culture including digging of the prawn tanks in R.S. Nos. 71/1, 71/14, 71/15, 71/2a, 71/2b, 71/3, 71/4, and 71/5, total an extent of Ac. 4-10 cents situated at Challapalli Village, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District (Formerly East Godavari District) pertaining to the 12th respondent in the interest of justice, pending disposal of WP No.18067 of 2022, on the file of the High Court. ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI RAMBABU ✓

KOPPINEEDI, Advocate for the Petitioner and of GP FOR FISHERIES AND PLANNING for the Respondent Nos.1, 3, 4, 6, 7 and 8, GP FOR REVENUE for Respondent No.2 and 5 and GP FOR IRRIGATION for Respondent Nos.9, 10 and 11, the Court made the following

ORDER:

"Heard respective counsels appearing on both sides. Perused the material available on record.

2. The grievance of the petitioner is that the 12th respondent without obtaining any permission required under law is digging the prawn tanks in R.S.Nos.71/1, 71/14, 71/15, 71/2a, 71/2b, 71/3, 71/4 and 71/5 total an extent of Ac.4.10 cents situated at Challapalli Village, Uppalaguptham Mandal, Dr.BR Ambedkar Konaseema District. Aggrieved by the action of the 12th respondent, the petitioner made a complaint on 04.06.2022 to the 4th respondent. Complaining inaction of the respondents in stopping the activities of the 12th respondent, the present Writ Petition is filed.

3. Learned Government Pleader for Fisheries on instructions submits that the contention of the learned counsel for the petitioner is correct. The 12th respondent without obtaining any permission is proceeding to dig the prawn tanks in the said land. The learned Government Pleader for Fisheries further submits that the respondent authorities orally instructed the 12th respondent to stop his activities.

4. On careful perusal of the submissions made by the respective counsels, this Court is of the prima facie opinion that the respondent authorities failed to take action on the complaint made by the petitioner to the 4th respondent on 04.06.2022. As and when the 12th respondent is proceeding to dig the prawn tanks in the said land without obtaining any permission required under law, knowing the same, the official respondents did not take any action against the 12th respondent even after submission of the complaint dated 04.06.2022 by the petitioner.

5. In view of the above, the petitioner is entitled for the relief sought in this interlocutory application.

6. Accordingly, there shall be an interim direction as prayed for."

//TRUE COPY//

Sd/- M.RAMESH BABU
DEPUTY REGISTRAR

For /

SECTION OFFICER

To,

1. The Principal Secretary fisheries, Dairy Development and Animal Husbandry Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. The Chief Commissioner of Land Administration (CCLA), D.No 22-19, CCLA Office road, Saipuram Colony, Gollapudi, Vijayawada, Andhra Pradesh 521225.
3. The Commissioner and Director, Department of Fisheries, Government of Andhra Pradesh At Bandaru Road, Poranki, Vijayawada.
4. The Chairman-cum- District Collector, The District Level Committee for Registration of Aquaculture,, Dr. BR Ambedkar Konaseema District, D. BR Ambedkar Konaseema District, Amalapuram.
5. The Revenue Divisional Officer, Amalapuram Division, Amalapuram, Dr. BR Ambedkar Konaseema District.
6. The Joint Director of Fisheries and Member Convener, District Level Committee, Dr. BR Ambedkar Konaseema District, Amalapuram.
7. The Mandal Level Committee, Fresh Water Aquaculture, Uppalaguptham Mandal, Rep.by its, Chairman-cum-Tahsildar, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District.
8. Fisheries Development Officer and Convener Mandal Level Committee,, Fresh Water Aquaculture, Veeravasaram, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District.
9. Superintendent Engineer, Jalavanarulu, Irrigation Department, Dr. BR Ambedkar Konaseema District, Amalapuram.

10. The Deputy Executive Engineer, Irrigation Sub-Division, Amalapuram, Dr. BR Ambedkar Konaseema District,
11. The Assistant Executive Engineer, Irrigation Department, Amalapuram, Dr. BR Ambedkar Konaseema District,
12. Akula Venkateswara Rao, S/o. Satyam, aged 56 years, Occ- Agriculture, R/o. Challapalli Village, Uppalaguptham Mandal, Dr. BR Ambedkar Konaseema District. (Formerly East Godavari District). (Addresses 1 to 12 by RPAD)
13. One CC to SRI. RAMBABU KOPPINEEDI Advocate [OPUC] ✓
14. Two CCs to GP FOR FISHERIES AND PLANNING, High Court Of Andhra Pradesh. [OUT]
15. Two CCs to GP FOR REVENUE, High Court of AP [OUT]
16. Two CCs to GP FOR IRRIGATION, High Court of AP [OUT] ✓

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HIGH COURT

DEVJ

DATED:29/06/2022

ORDER

**IA.NO.1 OF 2022
IN
WP.No.18067 of 2022**

INTERIM DIRECTION

