



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE FOURTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA ✓
WRIT PETITION NO: 5143 OF 2024, ✓

Between:

1. Gottumukkala Ranga Raju, S/o.late Suryanarayana Raju, aged about 58 years, R/o. D.No.1-15, Main Road, Polukonda village, Nandivada Mandal, Krishna District
 2. Gottumukkala Viswanadha Raju, S/o Ranga Raju, aged about 36 years, R/o. D.No.1-15 Main Road, Polukonda village, Nandivada Mandal, Krishna District
- ...Petitioners ✓

AND

1. State of Andhra Pradesh, rep. by its Secretary, Animal Husbandry, Dairy Development and Fisheries Department, Secretariat, Velagapud, Guntur District
 2. District Collector, Krishna District, Machilipatnam
 3. Tahsildar, Nandivada Mandal, Nandivada, Krishna District
 4. Dandiganapudi Gram Panchayat, Nandivada Mandal, Krishna District rep.by its Secretary
 5. Village Revenue Officer, Dandiganapudi, Nandivada Mandal, Krishna District
 6. Ponukumadu Gram Panchayat, Nandivada Mandal, Krishna District rep.by its Secretary
 7. Joint Director, Fisheries Department, Machilipatnam, Krishna District, Eluru
 8. Fisheries Development Officer, Nandivada village and Mandal, Krishna District
- ...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the action of the Respondents 2 to 8 in not taking any action on the representations submitted by them from time to time including the one dt 30.10.2023, 11.12.2023 for conducting survey and fixing boundaries and bifurcating our land of an extent of Ac.4.61 cts in S.Nos.351-1 and 351-2A situate in Dandiganapudi village, Nandivada Mandal, Krishna District and allowing unauthorized prawn culture without any permission whatsoever under the provisions of Andhra Pradesh State Aquaculture Development Authority Act, 2020 R/w. Rules framed thereunder and the orders of the 1st Respondent issued from time to time on the subject including the one in G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dt,16.03.2013 in the land of extent of about Ac.32.00 cts in S.Nos.348-1, 348-IA, an 348-2, 350,349-1, 349-IA, 349-2, 265-1, 265-2, 265-3, 266 situate in the said village as illegal, arbitrary, etc;

IA NO: 2 OF 2024:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent Nos.2 to 5, 7 and 8 to stop illegal aquaculture/prawn culture in the land of an extent of about Ac.32.00 cts in S.Nos.348-1, 348-IA, 348-2,

350,349-1, 349-1A, 349-2, 265-1, 265-2, 265-3, 266 situate in Dandiganapudi village, Nandivada Mandal, Krishna District which is admittedly being carried on without any permissions as required Andhra Pradesh State Aquaculture Development Authority Act, 2020 R/w. Rules framed thereunder and the orders of the Respondent issued from time to time on the subject including the one in G.O.Ms.No.7, Animal Husbandry, Dairy Development and Fisheries (Fish.II) Department, dt: 16.03.2013 without bifurcating land of Petitioners of an extent of Ac.4.61 cts in S.Nos. 351-1 and 351-2A situate in the said village, pending disposal of WP.No.5143 of 2024, on the file of the High Court.

IA NO: 3 OF 2024:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 6th Respondent to remove the iron barbed wire fencing on the Gram Panchayat gravel road blocking way to lands of Petitioners in an extent of Ac. 4.61 cts in S.No.s351-1 and 351-2A situate in Dandiganapudi village, Nandivada Mandal, Krishna District, pending disposal of WP.No.5143 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof the order of the High Court, dated 29.02.2024 made herein and upon hearing the arguments of Sri V.V.L.N.Sarma, Advocate for the Petitioners GP for Fisheries for the Respondent Nos.1, 7 & 8, GP for Revenue for Respondent Nos.2, 3, 4, 5 and Sri.N.Srihari, Standing Counsel for Respondent Nos.4 & 6, the Court made the following;

ORDER:

“In pursuance of the orders passed by this Court on 29.02.2024, the Fisheries Development Officer, Nandivada has appeared before this Court and has produced copy of instructions duly giving the dates on which inspections have been conducted by them.

At request of learned Government Pleader for Fisheries and learned Government Pleader for Revenue, for filing counter affidavit, post the matter after three (3) weeks.

The appearance of the Fisheries Development Officer, Nandivada, is dispensed with for the time being.”

//TRUE COPY//

For

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, State of Andhra Pradesh, Animal Husbandry, Dairy Development and Fisheries Department, Secretariat, Velagapudi, Guntur District
2. The District Collector, Krishna District, Machilipatnam
3. The Tahsildar, Nandivada Mandal, Nandivada, Krishna District
4. The Secretary, Dandiganapudi Gram Panchayat, Nandivada Mandal, Krishna District.
5. The Village Revenue Officer, Dandiganapudi, Nandivada Mandal, Krishna District
6. The Secretary, Ponukumadu Gram Panchayat, Nandivada Mandal, Krishna District.
7. The Joint Director, Fisheries Department, Machilipatnam, Krishna District, Eluru
8. The Fisheries Development Officer, Nandivada village and Mandal, Krishna (1 to 8 by **RPAD**)
9. One CC to Sri. V.V.L.N.Sarma, Advocate [OPUC]
10. Two CCs to GP for Fisheries, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP for Revenue, High Court of AP [OUT]
12. One CC to Sri.N.Srihari, Standing Counsel, (OPUC)
13. One spare copy

SRL

HIGH COURT

VS,J

DATED: 04.03.2024

NOTE: POST THE MATTER AFTER THREE (3) WEEKS

ORDER

WP.No.5143 of 2024

DIRECTION

