

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)



THURSDAY ,THE TWENTY FIFTH DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 26714 OF 2025

Between:

Balla Ramya Deepika, W/o Balaram Aged about 28 years R/o Kuppanapudi
Village Akividu Mandal West Godavari District 534235.

....Petitioner

AND

1. The State Of Andhra Pradesh, Rep by its Principal Secretary Fisheries
Department, 4th Block Room No 188 Ground Floor A P Secretariat Office
Velagapudi, Guntur District-522237
2. The Commissioner of Fisheries, Government of Andhra Pradesh, Poranki
Bunder Road, Vijayawada-521137
3. The District Collector, West Godavari District at Eluru 534007.
4. The Assistant Director of Fisheries, Bhimavaram, West Godavari, District-
534275
5. The Assistant Director of Fisheries, Ganapavaram West Godavari District-
534275
6. The Fisheries Development Officer, Akividu, West Godavari District-534235
7. The Tahsildar, Akividu Mandal, Akividu, West Godavari District-534235

8. Motupalli Raghavulu,, W/o Motupalli Raju, Age 54 years,Occ Agriculture R/o Kuppanapudi Village, Akividu Mandal, West Godavari District, Andhra Pradesh 534235.

...Respondents

WHEREAS the Petitioner above named through his/her Advocate V SURYA KIRAN KUMAR presented this 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 appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents setting aside the order passed by Respondent No.2 in Memo No. 4377/P2/2017 dated 21.08.2025 issued by Respondent No.2 by Declaring that the petitioner's license (License No. AQNLFWWG073711 dated 11.03.2025) remains valid and subsisting and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit/memorandum of grounds filed herein and upon hearing the arguments of Sri V SURYA KIRAN KUMAR Advocate for the Petitioner, GP for Fisheries for Respondent Nos. 1, 2 & 4 to 6, GP for Revenue for Respondent Nos. 3 & 7 directed issue of notice to the Respondents No. 8 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Motupalli Raghavulu, W/o Motupalli Raju, Age 54 years,Occ Agriculture R/o Kuppanapudi Village, Akividu Mandal, West Godavari District, Andhra Pradesh 534235.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted till the next date of hearing.

IA NO: 1 OF 2025

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 suspend the Memo No. 4377/P2/2017 dated 21.08.2025 issued by Respondent No.2 pending disposal of WP No. 26714 of 2025, on the file of the High Court.

The Court made the following:

ORDER:

Notice to Respondent No.8.

Learned counsel for petitioner is permitted to take out personal notice to R.8 by RPAD and file proof of service thereof into the Registry within three weeks from today.

Heard Sri N.Subba Rao, learned senior counsel appearing for the learned counsel for the petitioner and the learned Government Pleader for Fisheries for respondents 1, 2, 4 to 6 and the learned Assistant Government Pleader for Revenue for respondents 3 and 7.

This Writ Petition is filed assailing the Memo No.4377/P2/2017, dated 21.8.2025 issued by 2nd respondent, whereby 2nd respondent inter alia directed the District Fisheries Officer, West Godavari district to take necessary action for cancellation of license dated 11.3.2025 issued to the petitioner.

Respondent No.8 herein filed WP No.13615 of 2023 seeking to declare inaction of official respondents therein in taking appropriate action against petitioner herein, for the alleged illegal digging of aquaculture tank in Ac.2.98 cents of land in sy. Nos. 247/5, 6, 7, 8 and 9, 250/2, 3 and 5 of Kuppanapudi village, Akividu mandal, West Godavari. In the said Writ Petition, this Court granted interim direction on 16.6.2023 directing 4th respondent therein to ensure that respondents do not conduct business of aquaculture tanks or dig till 7.7.2023.

Revenue authorities filed counter affidavit in the said W.P.No.13615 of 2023 stating that in Field Measurement book of R.S.No.247, Panta Kaluva in sub-division No.247-1 lies on western side of both the petitioner and respondent No.8 and that it existed on the land of petitioner in R.S.No.247-5, 247-6, 247-7, 247-8, 247-9, 250-3, 250-10 is a private rythwari bodi arranged by mutual consent of both parties. Subsequently, the petitioner was issued license on 11.3.2025 by the Licensing Authority, M/S. DLIC, West Godavari district. Thereafter, unilaterally, the impugned Memo was issued by 2nd respondent, directing the District Fisheries Officer, West Godavari district to take necessary action for cancellation of license, without conducting any enquiry or affording opportunity to the petitioner herein. The matter requires examination.

In the circumstances, there shall be interim suspension of the impugned Memo dated 21.8.2025, for a period of eight weeks.

List the matter after Dasara Vacation, 2025.

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
11/8/25
SECTION OFFICER

//TRUE COPY//

For /

To,

1. The Principal Secretary, Fisheries Department, State Of Andhra Pradesh, 4th Block Room No 188 Ground Floor A P Secretariat Office Velagapudi, Guntur District-522237
2. The Commissioner of Fisheries, Government of Andhra Pradesh, Poranki Bunder Road, Vijayawada-521137
3. The District Collector, West Godavari District at Eluru 534007.
4. The Assistant Director of Fisheries, Bhimavaram, West Godavari, District-534275
5. The Assistant Director of Fisheries, Ganapavaram West Godavari District-534275

6. The Fisheries Development Officer, Akividu, West Godavari District-534235
7. The Tahsildar, Akividu Mandal, Akividu, West Godavari District 534235
8. Motupalli Raghavulu,, W/o Motupalli Raju, Age 54 years, Occ Agriculture R/o Kuppanapudi Village, Akividu Mandal, West Godavari District, Andhra Pradesh 534235.
9. One CC to Sri. V Surya Kiran Kumar 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 Andhra Pradesh. [OUT]
12. One spare copy

HIGH COURT

SRKJ

DATED:25/09/2025

List the matter after Dasara Vacation, 2025

NOTICE BEFORE ADMISSION

WP.No.26714 of 2025

INTERIM SUSPENSION

