

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**WRIT PETITION NO.12068 OF 2019**

**ORDER:**

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in seeking to seize and demolition petitioners’ aqua ponds pursuant to the 2<sup>nd</sup> respondents Notice No.536/A2/2014-16 dated 07.06.2019 as being illegal, arbitrary and violative of principles of natural justice apart from being violative of Articles 14 19(1)(g) and 21 of Constitution of India and consequently to set aside the same”

It is the contention of the petitioners that they excavated tanks in their land for Pisciculture. But it is alleged by the respondents that the petitioners converted their land into prawn tanks and a notice dated 07.06.2019 bearing No.536/A2/2014-16 was issued calling upon the petitioners to show-cause as to why action should not be initiated for violation of the terms and conditions of permission, within 15 days from the date of receipt of the notice.

In pursuance of the notice, the petitioners submitted their explanation dated 13.08.2019. So far no order has been passed considering the reply, by the concerned authorities, but the respondents are trying to demolish the fish tanks without passing any order based on show-cause notice and reply.

Learned Assistant Government Pleader for Fisheries stated that the department is ready to pass appropriate order based on the reply submitted by the petitioners dated 13.08.2019.

In view of the submission of the learned Assistant Government Pleader for Fisheries, respondent Nos.2 to 5 are directed not to demolish the fish tanks of the petitioners till passing of final order.

With the above direction, the writ petition is disposed of. No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

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**JUSTICE M. SATYANARAYANA MURTHY**

31.10.2019

***Note: Issue copy by 02.11.2019***

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