

**THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION.NO.20351 OF 2023**

**ORDER:-**

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

*“to issue an appropriate writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring action of the 5<sup>th</sup> respondent in issuing Notice in Notice No.4/2023 dated 28.07.2023 in trying to seize/demolish the petitioners Fresh Aqua Culture Farm in Sy.No.36/19B, 38/4C, 38/1C, 36/18, 38/4A, 36/20C, 38/3, 38/2 in an extent of Ac.3.47 cents situated at Atreyapuram Village and Mandal, Dr. B.R. Ambedkar Konaseema District, as bad, illegal, arbitrary, violative of Articles 14, 19(1)(g), 21 and 300-A and violative of principles of Natural Justice and consequently set aside the Show cause Notice vide Notice No.4/2023 dated 28.07.2023 issued by the 5<sup>th</sup> respondent and direct the respondents not to interfere in the petitioner aqua culture without following due process of law and pass such other order or orders...”*

Heard learned counsel for petitioner and learned counsel for the respondents.

Learned counsel for petitioner straight away takes this Court through the order, dated 01.08.2023, passed by this Court in W.P.No.19264 of 2023, as the facts and circumstances of this case are similar to that case.

Learned counsel for the respondents does not refute the submission made by the learned counsel for the petitioner.

Relevant paragraph of the order passed in W.P.No.19264 of 2023 is extracted hereunder:

*“Having regard to the submissions made by the learned counsel for the petitioner and learned Government Pleader for Respondents and on perusal of the material placed before this Court, this Court is of the considered view that this is a fit case to dispose of the present writ petition directing the petitioner to treat the impugned proceedings as a show cause notice and submit his explanation within ten days from today and thereafter the respondents shall consider the explanation after providing an opportunity of hearing to the petitioner in accordance with law within a period of six weeks.*

*In the meanwhile, respondents are hereby directed not to interfere in any manner with respect to the subject property as well as activity of the petitioner.*

*With the above direction, writ petition is disposed of, at the stage of admission, with the consent of both the parties. There shall be no order as to costs.”*

In view of the same, for the reasons alike in the aforesaid order, this Writ Petition is also disposed of in terms of the order dated 01.08.2023 passed by this Court in W.P.No.19264 of 2023. There shall be no order as to costs.

Registry is directed to attach a copy of the order dated 01.08.2023 passed by this Court in W.P.No.19264 of 2023 to this order.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

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**VENKATESWARLU NIMMAGADDA, J**

Date:10.08.2023

***Note:***

***C.C. by 14.08.2023***

***B/o.***

*TPS*

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**THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION.NO.20351 OF 2013**

Date:10.08.2023

***Note:***

***C.C. by 14.08.2023***

***B/o.***

***TPS***