

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
WRIT PETITION No.12981 of 2015

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Fisheries for respondents 1 to 4.

2. The petitioners are third parties who lent money to the fifth respondent Society pursuant to a resolution passed by it. It is the case of the petitioners that the fifth respondent Society also executed an agreement on 24.09.2013, agreeing to supply fish to the petitioners. In pursuance of the same, the petitioners paid an amount of Rs.5 lakhs to the fifth respondent Society. But, the fifth respondent Society, instead of honouring the agreement, is leasing out the fish tank to some other parties. The petitioners submit that they have made a representation to respondents 2 and 3 on 31.03.2015 and when they are not taking any action, the present Writ Petition.

3. The learned Government Pleader, on written instructions, submits as follows:

“ With reference to the above cited that Sri B.Ramachandrudu, S/o. Mattaiah has represented that he has given as advance of Rs.7.25 lakhs to FCS, Medaram with an agreement for supply of fish. He further stated that the Society has violated the agreement and sold out the fish to some other.

It is further submitted that the general body of the Society is authorized to take policy decisions as per bye-laws and Act. The Fishermen Co-operative Society is a democratic body and take decisions as per the General body resolution.

It is further submitted that the Department will interfere only when the Society is not functioned as per Bye-laws and Act.”

4. In view of the above submission made by the learned Government Pleader and in view of the nature of relief sought in the present Writ Petition, the Writ Petition is disposed of directing the second respondent

to consider the representation made by the petitioners on 31.03.2015 and pass appropriate orders thereon in accordance with law. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 20.07.2015
TJMR