

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.27938 of 2015

ORDER:

This writ petition is filed challenging the inaction of the respondents 1 to 5 in taking action against the sixth respondent Society and its members in trying to sub-lease the Fish Tanks by allotting it in favour of third-parties.

The petitioners are claiming to be the members of sixth respondent Society, which consists of 250 members. The Divisional Panchayat Officer, Rajahmundry, issued proceedings on 09.07.2015 granting leasehold rights in favour of the sixth respondent Society in respect of three tanks situated within the limits of fourth respondent Gram Panchayat. When the petitioners apprehended the transfer of said lease in favour of the third-parties, the present writ petition was filed.

Counter affidavit is filed on behalf of the sixth respondent stating that in respect of the erstwhile Managing Committee of the sixth respondent Society there were several complaints and ultimately the erstwhile Managing Committee tendered resignation and the new Managing Committee was elected by the General Body on 28.08.2015. The present writ petition was filed at the instance of the dislodged Managing Committee only. It is categorically stated that there is no proposal from any quarter for subletting the tanks of the Society as it is impermissible under the bye-laws. The Divisional Panchayat Officer, Rajahmundry, has only fixed the upset price and the respective Gram Panchayats granted leasehold rights for a period of three years. There are no complaints against the present Managing Committee.

In view of the categorical statement made by the sixth respondent Society that there is no proposal to sub-lease the fishing

tanks granted in favour of the sixth respondent Society, there is no need for apprehension by the petitioners.

In the circumstances, by recording the statement made by the sixth respondent Society in the counter affidavit this Writ Petition is closed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

27.10.2015

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