

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.12354 OF 2011

DATED:10-9-2015

Between:

Fishermen Cooperative Society
Kondapur Village
Dhanvada Mandal
Mahaboobnagar District ... Petitioner

And

The Assistant Director of Fisheries
Mahaboobnagar District
Mahaboobnagar
and another ... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. D. Jagan Mohan Reddy

COUNSEL FOR THE RESPONDENTS: A.G.P. for Fisheries (TS)

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a mandamus to set aside proceedings No.1527/E/2011, dt.24.3.2011, of respondent No.1.

At the hearing, this Court has noticed a serious lapse by the petitioner in not impleading the beneficiaries of the impugned order. This apart, against any order passed under Section 16 of the Andhra Pradesh Cooperative Societies Act, 1964 the petitioner has an effective remedy of appeal under Section 76 of the said Act. For both these reasons, the writ petition is dismissed without adjudicating on the merits of the case with liberty to the petitioner to file an appeal after impleading the beneficiaries under the impugned order. The petitioner is entitled to seek condonation of delay before the Cooperative Tribunal and in such an event the Tribunal shall consider the factum of the petitioner availing the remedy of writ petition. To enable the petitioner to avail the appeal remedy, the order of interim suspension granted by this Court on 27.4.2011 shall continue for a period of one month.

As a sequel to dismissal of the writ petition, W.P.M.P. No.15058 of 2011 and W.V.M.P. No.1478 of 2013 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

10-9-2015

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