

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.14187 of 2015

Date: 07-05-2015

Between:

K.Prakash Rao

.. Petitioner

AND

The State of Telangana, represented by
its Principal Secretary, Coperative Societies,
Secretariat Building, Hyderabad and 2 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.14187 of 2015

ORDER:

This writ petition is filed for declaring the action of the 3rd respondent in interfering with the catching of the fish by the petitioner in Paleru Reservoir though the agreement is valid up to 24-10-2015 as illegal and arbitrary.

2. The case of the petitioner is that the 3rd respondent is the fishermen Co-operative Society registered under Societies Registration Act. The said society

is getting funds from the Government and it is under the control of the Government. That the 3rd respondent granted lease hold rights to the petitioner to catch the fish from the Paleru Reservoir on 24-10-2012 for a period of three years and to that affect, a lease deed was executed by the 3rd respondent in favour of the petitioner. As per the said lease agreement, the petitioner has to pay certain amounts at the time of catching the fish on kilogram basis and also towards expenditure for safeguarding the fish. It is further stated that the petitioner employed men and machinery and invested more than Rs.40.00 lakhs for growing of the fish and now the fish is grown up. When the petitioner was making all arrangements to catch the fish, the 3rd respondent society members including the President prevented the petitioner on 02-05-2015 around 12.00 noon and threatened him not to carry the fishing activity as they have already decided to allot the fishing rights to another contractor. As such, the petitioner filed the present writ petition.

3. Heard the learned counsel for the petitioner.

4. The petitioner is seeking enforcement of an agreement dated 24-10-2015, which cannot be enforced in writ jurisdiction. In view of the same, the Writ Petition is not maintainable and liable to be dismissed.

5. In view of the above, the writ petition is dismissed leaving it open to the petitioner to work out his remedies. No costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 07-05-2015

nvl