

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-

WRIT PETITION No.34037 of 2015

-

DATED : 14.10.2015

Between :

Fishermen Co-operative Society,
Ramannamudi (V), Bantumalli (M),
Krishna District,
Rep., by its President Nadkudite Venkata Swamy,
S/o.Nancharaiah, aged about 37 yrs,
R/o.Ramannamudi (V), Bantumalli (M),
Krishna District.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Panchayat Raj and Rural Development Department,
Secretariat, Hyderabad & 6 others.

.. Respondents

This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

-

WRIT PETITION No.34037 of 2015

-

ORDER :

This writ petition is filed to declare the action of the 3rd respondent in issuing the proceedings ROC No.1619/2015 dated 20.08.2015 as bad, arbitrary, and contrary to G.O.Ms.No.343 of Panchayat Raj and Rural Development Department dated 10.04.1978 and consequently, to set aside the same.

2. By proceedings dated 20.08.2015, the District Panchayat Officer, Krishna, Machilipatnam, granted permission to Bantumilli Gram Panchayat to conduct open auction as per G.O.Ms.No.343 dated 10.04.1978 and G.O.Rt.NO.546 dated 25.03.1999. The claim of the petitioner Society was that their fishing rights was not accepted on the ground that the petitioner-Society has sub-leased tanks, which is illegal and that President of the petitioner Society was also claiming as President of another Society by name Ramannamudi Fishermen Co-Op. Society.

3. Learned counsel for the petitioner, submits that the matter was enquired into by the Assistant Director of Fisheries, Bantumilli and according to his report dated 29.08.2015, the petitioner is a validly registered Society and is entitled to take lease of fishing rights in Bantumilli village tank.

4. It appears that the petitioner has not brought to the notice of the District Panchayat Officer of the report of the Assistant Director of Fisheries. Thus, the petitioner is granted liberty to make a representation to the District Panchayat Officer, Krishna District at Machilipatnam (3rd respondent) enclosing a copy of the report dated 29.08.2015, within one week from today. If the petitioner submits the representation within one week from today, the 3rd respondent shall consider the same and pass appropriate orders as warranted by law, as expeditiously as possible at any rate before the auction is conducted. If the petitioner is aggrieved by any further decision of the 3rd respondent, it is open to the petitioner to work out his remedies in accordance with law.

5. With the above observations, the writ petition is disposed of. There shall be no order as to costs.

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

P.NAVEEN RAO,J

14th October, 2015.

Note : Issue c.c. by 19.10.2015.

B/o.

Rds