

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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WRIT PETITION No.6851 of 2012

ORDER:

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This writ petition is filed to declare the action of respondent authorities in not canceling the registration of the 8th respondent society and in not canceling the lease granted in its favour in respect of the tanks located in Tadinada Village, Kalidindi Mandal, Krishna District as illegal and arbitrary.

The counter is filed by the 7th respondent-Tadinada Gram Panchayat stating that the petitioner has orally informed to then Panchayat Secretary with regard to registering of society in the name of "Sai Krishna Fishermen Cooperative Society" with register number 14 of 2011. So far, no certificate has been produced before the Gram Panchayat nor submitted any representation with regard to formation of society by the petitioner. It is also stated that the competent authority has to cancel the 8th respondent society but not the Panchayat Secretary or the Executive Officer of the Grampanchayat. According to G.O.Ms.No.343, dated 10-04-1978, the local fishermen co-operative societies are entitled to carry the fishing operations within the territorial jurisdiction of the particular village. If they are not willing to do fishing operation, then only the Grampanchayat can go for public auction. It is for the competent authority to take action against the 8th respondent society. The lease period, which was granted in favour of 8th respondent is ended by 30th June, 2013. As such, the petitioner so desires, he can approach the concerned authorities for granting fishing operations of the Gadinada Gram Panchayat Tanks.

It is further stated that the insofar as the cancellation of the 8th respondent society is concerned, the petitioner has to approach the concerned authorities for taking appropriate action. The Tadinada Gram Panchayat is taking all steps to proceed further in leasing out the tanks of their village by following due process. Hence, prayed to dismiss the writ petition.

Heard Sri Ancha Pandu Ranga Rao on behalf of Sri Dammalapati Srinivas, counsel for the petitioner.

Even according to the petitioner, the lease was granted in favour of 8th respondent for a period of three years commencing from 01-07-2010 to 30-06-2013.

It is to be seen that by efflux of time, lease granted in favour of the 8th respondent is expired and as far as the cancellation of 8th respondent-society is concerned, it is for the petitioner to approach the competent authority in respect of the same.

In view of the same, the cause in the writ petition does not survive for adjudication and accordingly, the writ petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

06-10-2015

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.17618 of 2014

Date: 02.07.2014

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