

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

Writ Petition No.38451 of 2012

Dated 20th August, 2015

Between:

Rachakatla Murali and others

...Petitioners

And

The Commissioner of Fisheries, Matsya Bhavan, 4th Lane,
Shanthinagar, Hyderabad and others

...Respondents

Counsel for the petitioners: Ms.Jayasree

for Ms.R.Annapurna

Counsel for respondent Nos.1 to 3: AGP for Fisheries

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to set aside order, dated 27.09.2012, in C.T.A.No.47 of 2011, on the file of the Andhra Pradesh Co-operative Tribunal, Warangal.

The necessity to refer to the detailed facts is obviated for the reason that the contentious issue involved in this writ petition pertaining to admission of 88 persons belonging to Mudiraj community is subject matter of W.P.No.5160 of 2014 filed by them against the decision of respondent No.4-Society removing them from its rolls. From the order passed by the Co-operative Tribunal, it is clear that the decision of respondent No.4-Society to reject the request of the petitioners to admit them as members was justified on the ground that their admission into the Society will make it unviable so long as the

said 88 persons continue as members.

The learned counsel for the petitioners submitted that in W.P.No.5160 of 2014, all the petitioners got themselves impleaded. Therefore, the fortunes of the petitioners hinge on the result of W.P.No.5160 of 2014. If the petitioners succeed in getting the said writ petition dismissed, as they were found to have qualified in skill test, they are entitled to approach respondent No.4-Society for their admission. In such an event, the question of viability would not arise.

In this view of the matter, the writ petition is disposed of without adjudicating on the correctness or otherwise of the order of the Tribunal impugned in this writ petition with liberty to the petitioners to contest W.P.No.5160 of 2014.

As a sequel to disposal of the writ petition, WP.MP.No.48776 of 2012 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

20th August, 2015
VGB