

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WVMP.Nos.4499, 4500, 4788 and 4789 of 2015

in

WP.No.37094 of 2015

and

WP.No.37094 of 2015

ORDER :

In this Writ Petition, the petitioners' grievance is that the Managing Committee of 6th respondent-Society is colluding with the 7th respondent-Contractor and is not allowing petitioners herein to catch fish and to sell fish.

2. This is vehemently contested by Sri P.S.P. Suresh Kumar, counsel appearing for 6th respondent, and Sri P. Govind Reddy, counsel appearing for 7th respondent.
3. Sri P.S.P. Suresh Kumar, counsel appearing for 6th respondent, refers to a resolution dt.05.11.2015 of the elected Managing Committee of 6th respondent-Society wherein a decision was taken to permit all the Members of Society to catch fish.
4. He further states that there was an agreement entered into with 7th respondent for sale of the fish by all the Members of 7th respondent; that on 19.07.2012, a General Body resolution was passed before the Dy. Director of Fisheries to sell the fish to 7th respondent at a rate agreed upon at that point of time; and that all petitioners who are members of the 6th respondent-Society

are bound by the said resolution.

5. Although the counsel for petitioners seeks to contend that in 2015 the Managing Committee of 6th respondent-Society cannot agree to sell the fish caught by the petitioners at the rates agreed upon in 2012, since the petitioners have an effective alternative remedy under Section 61 of the Andhra Pradesh Co-operative Societies Act, 1964, granting liberty to petitioners to avail the said remedy before the competent authority, the Writ Petition is disposed of. No order as to costs.
6. The respondent nos.2 to 5 shall also consider representations dt.07.10.2015, 27.10.2015 and 09.11.2015 within a period of four (04) weeks from the date of receipt of a copy of the order.
7. Interim orders granted earlier in this Writ Petition stands dissolved. Consequently, WVMP.Nos.4499, 4500, 4788 and 4789 of 2015 are dismissed.
8. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 21-12-2015

Ndr/*