

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.30443 of 2017

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

The petitioner states that the members of petitioner Sangham are fishermen by profession and belonged to Mudiraj Community. They have submitted a representation to the second respondent on 30.01.2017 requesting him to admit them as members of the third respondent Society, as they fulfilled the requisite eligibility criteria for being admitted as members of the Society. When the second respondent is neither forwarding their applications nor making recommendations to the third respondent Society for grant of membership as per G.O.Ms.No.98 dated 22.01.1964, the present Writ Petition is filed.

Learned counsel for the petitioner submits that this Court in W.P.No.34793 of 2013 dated 20.11.2015 observed that consideration of the applications for being members of the Fishermen Societies is not restricted to 30 communities mentioned in the above Government Order and what the said Government Order read with G.O.Ms.No.74 dated 21.10.2011 states is that the application from the members of 30 communities should be given preference, but the applications of other communities shall not be rejected outright. That issue need not be gone into in the present circumstances, since the ultimate authority is the concerned Society to admit the members or reject them. The Assistant Director of Fisheries is only a forwarding authority of the applications received from the persons seeking membership in the Societies and hence he has to forward the applications by making his recommendations, if any

and the ultimate authority is the Society to admit the members or reject them.

In view of the same, the second respondent shall forward the applications of the members of the petitioner Sangham to the third respondent Society along with his recommendations for consideration of their applications for membership of the third respondent Society and it is for the third respondent Society to take appropriate action in accordance with law.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

Date: 08.09.2017
Nsr

A. RAMALINGESWARA RAO, J

