

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 30164 of 2017

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Fisheries for the respondents.

The petitioners claim that they belong to fishermen community (Bestha) and they are permanent residents of Singanamala Village. It is their case that the Fishermen Cooperative Society is having 210 members and with those 210 members, a voters' list was published in the year 2011, but now respondent No.5-Election Officer, Fishermen Cooperative Society, Singanamala issued an Election Notification with a list of 111 members. The petitioners state that they submitted representations on 26.08.2017 and 28.08.2017 to respondent No.5 with regard to deletion of their names as members of the Society and when no action is taken and when respondent No.5 is going ahead with the election process, the present writ petition is filed.

Learned counsel for the petitioners submitted that respondent No.5 issued Election Notification without a notification from the Election Authority appointing the Election Officer and giving a schedule of election. He further submitted that no notice was issued to the petitioners before deleting their names as members of the Society.

Learned Government Pleader for Fisheries, on the other hand, submitted that the District Collector issued proceedings on

19.08.2017 appointing the Election Officer and indicating the election schedule. He further submitted that though 210 members were there, out of those members, 39 died, 16 were employed and 44 were migrated to other places. In those circumstances, only 111 members are available in the Society. He also submitted that when the term of the previous committee expired on 19.11.2016, a person-in-charge was appointed and his term would expire on 29.10.2017. In those circumstances only, the elections are being held.

With regard to the submissions made by the learned counsel for the petitioners, this Court is not impressed as *prima facie* this Court noticed the proceedings of the District Collector appointing an Election Officer. If the petitioners have any grievance with regard to the deletion of their names, they have to avail the alternative remedy, but cannot stall the election process. The petitioners have not made the Society also as party to the present writ petition. The writ petition is liable to be dismissed on this ground also.

The writ petition is accordingly dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:12.09.2017

kdl

