

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38394 OF 2017

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, seeking to declare the action of the 3rd respondent in not allowing the petitioner society to catch the Fish in the Tanks, which were leased out to the petitioner society for the year 2016-2017, as arbitrary and illegal and consequently, direct the 3rd respondent to allow the petitioner society to culture the fish in the tanks.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Panchayat Raj appearing for respondent Nos.1 and 2 and Sri G.Seshadri, learned Standing Counsel appearing for respondent No.3-Gram Panchayat.

3. Learned counsel for the petitioner submits that the petitioner society was granted leasehold rights for catching fish for the year 2016-2017, which were existing till 23.12.2017; that the respondents without considering the same, they are not allowing the petitioner society to catch fish in the tanks and hence, prays to direct the 3rd respondent to allow the petitioner society to catch the fish in the tanks.

4. On the other hand, Sri G.Seshadri, learned Standing Counsel for respondent No.3 Gram Panchayat, on written instructions, submits that the leasehold rights of the petitioner society for catching fish in the tanks expired and it was allotted to some other society and they have also paid the price fixed by the Panchayat Officer.

5. Learned counsel for the petitioner filed some documents, one such document is only a receipt showing that the petitioner society paid the lease amount. The petitioner society has not filed any

document to show that the lease period is existing till 23.12.2017. On the other hand learned Standing Counsel submits that leased period of petitioner society expired by July, 2017.

5. In view of the above, I do not see any reason to grant the relief as prayed by the petitioner and accordingly, the writ petition is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed. There shall be no order as to costs.

NOVEMBER 20, 2017

Note:

Issue C.C. in two (02) days.

(B/o)
YVL

A.RAJASHEKER REDDY, J



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Date: 20.11.2017

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