

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42351 OF 2017

ORDER:

The petitioner is a Fisherman Cooperative Society registered for the area of operation of Bayyavaram Tank which is recognised by the respondents herein. As per G.O.Ms.No.343, the 7th respondent Gram Panchayat has power to grant lease hold rights after fixation of the upset price by the 4th respondent-Divisional Panchayat Officer. The petitioner was granted leasehold rights basing on the upset price fixed by the committee consisting of respondents 4 to 6 for the years 2014-15, 2015-16 and 2016-17. For the present year the period started from 01.07.2017 and the petitioner has also submitted application to the 7th respondent for granting lease hold rights of Bayyavaram Tank. But the respondents 4 to 6 are not fixing the upset price as per G.O.Ms.No.499, dated 25.11.1998. Aggrieved by the action of respondents 4 to 6 in not fixing the upset price of lease amount, present writ petition is filed.

Heard learned counsel for the petitioner.

Sri G.Seshadri, learned Standing Counsel for the 7th respondent Gram Panchayat states that as and when upset price is fixed by the competent authority, the 7th respondent is ready to take action.

In view of the same, the respondents 4 to 6 are directed to fix upset price in terms of G.O.Ms.No.499, dated 25.11.1998, within a period of three weeks from the date of receipt of a copy of this order. After fixing of upset price, the 7th respondent is directed to take necessary action for grant of leasehold rights of Bayyavaram Tank, as per Rules, within two weeks thereafter.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending shall stand closed.

13.12.2017
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A.RAJASHEKER REDDY, J

