

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 6238 of 2018

ORDER:

The grievance of the petitioner-Society in this writ petition is that respondent Nos.1 to 4 are not taking necessary steps as mandated under G.O.Ms.No.499, dated 25.11.1998, by allowing it to harvest the fish in Kankanalapalli Tank.

Heard learned counsel for the petitioner.

Today, when the matter is taken up for consideration, learned Standing Counsel for respondent No.4 submits that in terms of G.O.Ms.No.499, dated 25.11.1998, respondent No.4 has to get approval from the Fisheries Department for leasing out the fishing rights and once such approval is granted, the Divisional Panchayat Officer has to fix the upset price. In the event the Fishermen Cooperative Society agrees to pay the upset price, as fixed by the Divisional Panchayat Officer, the leasehold rights have to be given to the Society. He further submits that four weeks time is required to take steps for grant of leasehold rights.

Now, it is brought to the notice of this Court that in similar circumstances, this Court disposed of W.P.No.42351 of 2017 on 13.12.2017, operative portion of which reads as under:

“In view of the same, respondent Nos. 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.”

In the light of the above submission and considering the order, dated 13.12.2017, passed by this Court in W.P.No.42351 of 2017, the writ petition is disposed with a direction to respondent Nos.2 and 3 to fix the 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 the upset price, respondent No.4 shall take necessary steps for grant of leasehold rights of Kankanalapalli Tank, as per the Rules, within two weeks thereafter.

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

CHALLA KODANDA RAM, J

Dt:15.03.2018

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