

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 8436 of 2019

ORDER:

Petitioners state that they are all the residents of Gattabhoothkur Village, Gangadhara Mandal, Karimnagar District and eking their livelihood by fishing operations; that respondent No.3-Fishermen Cooperative Society Limited is entitled to carry on fishing operations in Gattabhoothkur Tank; that they filed a representation, dated 02.03.2019, before respondent No.3 seeking to admit them as members of the said Society in terms of the relevant Government Orders by paying requisite fee; that no steps have been taken to admit them as members of the Society and that they have no other alternative to approach respondent No.2-District Fisheries Officer, Karimnagar, who is competent authority in relation to the affairs of respondent No.3, as per G.O.Ms.No.16, dated 09.01.2017, to redress their grievance.

Learned counsel for the petitioners submits that in terms of Section 19(3) of the Telangana Cooperative Societies Act, 1964, the Society is required to take necessary steps and shall not refuse the membership subject to an individual satisfying the conditions and byelaws of the Society. He further submits that there is a duty cast on respondent No.2 to ensure that the petitioners are granted membership. He further submits that in terms of Section 19(2-A) of the above said Act, the petitioners are required to be treated as members of the Society. In the circumstances, respondent No.2 shall look into the representation, dated 02.03.2019, submitted by

the petitioners and pass appropriate orders ensuring the petitioners being granted with the membership subject to their fulfilling their other qualifying conditions particularly, with respect to skill test which is required to be conducted in terms of the relevant Government Orders.

Heard learned Government Pleader for Fisheries appearing for the respondents.

There being no dispute that G.O.Ms.No.16, dated 09.01.2017, authorises respondent No.2 to discharge the functions of the Registrar with respect to the Fishermen Cooperative Society, the writ petition is disposed of directing respondent No.2 to consider the representation of the petitioners dated 02.03.2019, and take necessary steps within a period of six weeks from the date of receipt of a copy of this order.

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

CHALLA KODANDA RAM, J

Dt:25.04.2019

Note: Issue cc by 29.04.2019
kdl

