

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.27754 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the proceedings No.2598/E2/2019, dated 23.11.2019, of the 2nd respondent in appointing official person-in-charge to manage the affairs of the District Fisheries Cooperative Society Limited, Nizamabad, as arbitrary and illegal and consequently set aside the same directing the 2nd respondent to allow the existing Managing Committee to continue to discharge their function till the elections are held and new committee takes charge.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Fisheries.

3. During the course of arguments, Sri K.Ajay Kumar, Advocate, representing Sri N.Srushman Reddy, learned counsel for the petitioners, would submit that there is a threat of alienation of society lands in favour of third parties. He further submitted that the petitioners submitted a representation on 11.11.2019 to the District Collector, Nizamabad, to protect the land belonging to Fisheries Society at Arsapally, Nizamabad, and also submitted representation on 04.12.2019, to the 2nd respondent stating that the resignations submitted by the four Directors of the petitioners' committee are not valid and the society has got valuable lands in the Nizamabad.

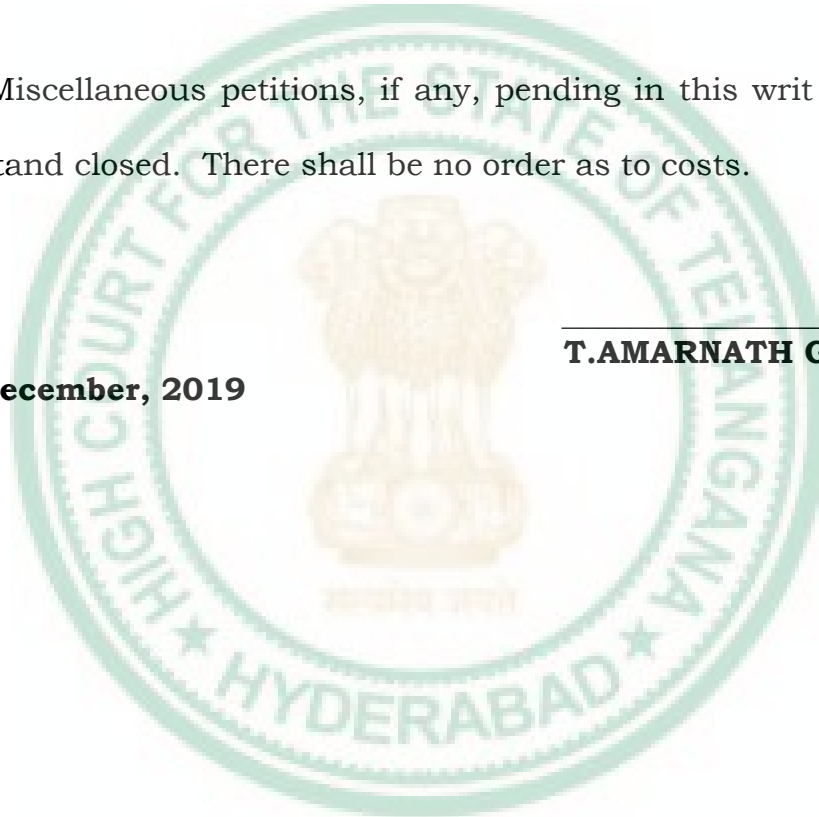
4. Having regard to the same, and considering the facts and circumstances of the case, the Writ Petition is disposed of directing respondent, District Collector, Nizamabad, to dispose of the representation, dated 11.11.2019; the 2nd respondent-Commissioner to dispose of the representation, dated 04.12.2019, in accordance with law, after affording due opportunity to both parties. Further, there shall a direction to respondent Nos.2 and 3 to protect the properties of the petitioner-society till elections are held to the said society.

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

13th December, 2019

YVL

T.AMARNATH GOUD, J



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Date:13.12.2019

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