

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.28547 OF 2019

ORDER:

This writ petition is filed challenging the action of 6th respondent in interfering with the lawful fishing rights of the members of the petitioner-The Fishermen Co-operative Society Limited at their operational area of fishing in Godavari river, situated at Rampur Village, Buthkur Grampanchayat, Kadam Mandal (now in Dasthurabad Mandal), Nirmal District, at the instance of 7th respondent.

The petitioner is a Fisherman Co-operative Society registered under the provisions of Telangana Co-operative Societies Act, 1964 vide Registration Certificate in RC.No.781/D/2015, dt.02.02.2016 and the 3rd respondent has also issued proceedings dt.02.02.2016 fixing the area of operation of the petitioner-Society on Godavari River situated at Rampur Village, Buthkoor Gramapanchayat of Kaddam Mandal and Village water sources only. The licence granted in favour of the petitioner by the Fisheries Department is also valid till 30.06.2020.

The grievance of the petitioner-Society is that though they are having valid licence and also valid registration certificate, the 6th respondent, having no jurisdiction, is interfering with the fishing rights of the members of the petitioner-Society. According to the petitioner-Society, 6th respondent is calling the

members of the petitioner-Society to the police station and harassing them and also interfering with their fishing rights, illegally.

Learned Government Pleader for Fisheries appearing for respondents 1 to 4 submits that 6th respondent is not having any power to interfere with the fishing rights of the members of the petitioner-Society.

Learned Assistant Government Pleader for Home appearing for respondents 5 and 6 also submits that the 6th respondent will not interfere with the fishing rights of the members of the petitioner-Society, except in case of any law and order problem arises.

In view of the aforesaid submission, the writ petition is disposed of directing the 6th respondent not to interfere with the fishing rights of the members of the petitioner-Society pursuant to their licence dt.11.11.2019, except in accordance with law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

K.LAKSHMAN, J

24.12.2019

Note: Issue CC by 26-12-2019.

B/o. t k.

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