

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

**W.P.NOS.16968, 7775, 14991, 15077, 17104, 18087, 19895 AND 22144 OF
2020**

COMMON ORDER

Since, the issue involved in all these writ petitions is common, they are heard together and are being disposed of by this common order.

As the prayer in all the writ petitions is similar, for the sake of convenience, the prayer in W.P.No.16968 of 2020, is being extracted as under, for ready reference:

"For a writ of Mandamus directing the respondent authorities to implement the proceedings of the respondent No.2 vide Letter No.1527/C2/2020 dated 17.07.2020 and Circular Memo No. CPRRE/D1/GPAD/63/2020-D Section dated 31.08.2020 issued by the 5th respondent respectively as per G.O.No.499 dated 25.11.1998 and G.O.No.546 dated 25.03.1999 by permitting the petitioner Primary Fishermen Co-operative Society Limited, Kodumuru, Chinthakani mandal, Khammam District, Telangana State, vide Registration No. N-219 to receive lease of Ramasamudram Cheruvu alias Ramalingamkunta, Raghavapuram New Gram Panchayat for the year 2020-21 as per the proceedings of the respondents 2 and 5 dated 17.07.2020, and 31.08.2020 respectively, and pass such other order or orders as this court may deem fit and proper in the interest of justice."

The Secretary to Government, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad, - 3rd respondent, filed a common counter affidavit in all the writ petitions.

Learned counsel for the petitioners would submit that petitioners in all these writ petitions does not want adjudication in the writ petitions and that they are satisfied with the averments made by the 3rd respondent in the common counter affidavit at paragraph Nos.4 and 15, and hence the writ petitions may be disposed of accordingly.

Sri G.Narender Reddy, learned Standing Counsel, appearing for 15th respondent – Raghavapuram Gram Panchayat, submits that the petitioner – Society is in Kodumuru Gram Panchayat, and they are claiming fishing rights in Ramalingamkunta, but after the bifurcation of the erstwhile combined Kodumuru Gram Panchayat in the year 2018, the Ramalingamkunta comes within the limits of newly constituted Raghavapuram Gram Panchayat, and hence the petitioner – Society, is not within the local limits of Raghavapuram Gram Panchayat, and

hence it does not fall within the local administration of village of Raghavapuram Gram Panchayat as defined under Section 2(14) of the Telangana State Panchayat Raj Act, 2018, and hence it cannot claim for fishing rights. He further submits that if there are no registered societies within the local area of the newly formed Gram panchayat, it is open to the Gram Panchayat to auction the rights of fishing tanks, in the public auction.

The above submission of the learned Standing Counsel is opposed by the learned Government Pleader for Fisheries.

It is to be seen that when the petitioners does not want any adjudication in the writ petitions and that they are satisfied with the averments made in the common counter affidavit filed by respondent No.3 at paragraphs 4 and 15, this court is not inclined to decide the *inter se* dispute between the respondents. However, if any of the parties are aggrieved by the averments made in the above said paragraphs, it is open to them to challenge the same in accordance with law.

With the above observation, writ petitions are disposed of.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:16—12—2020

AVS