

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No. 32877 of 2021

ORDER:

Aggrieved by the action of the respondent No.4 – District Fisheries Officer, Karimnagar, in issuing the impugned letter dated 30.11.2021 rejecting the representation submitted by the petitioner for formation of new Fishermen Cooperative Society, Ippalapalli Gram Panchayat, the petitioner has filed the present Writ Petition.

A perusal of the impugned letter dated 30.11.2021 shows that the respondent No.4 has not taken into consideration the relevant factor as to whether the water bodies of Ippalapalli and Challur are rain fed or canal fed and should have then calculated as to whether the same can be divided among the members of the existing society and also the writ petitioner duly taking into consideration G.O.Ms.No.6 dated 24.03.2016.

Admittedly, the Fishermen Cooperative Society, Challur, has the total water spread area, 259.48 acres, with 114 members as on date, and in case the total water spread area of 3 tanks i.e., 126.375 with 32 existing members is deleted from the existing total water spread area of Fishermen Cooperative Society, Challur, the feasibility of allotting the balance water spread area to the 111 members has to be verified by the authorities. That the respondent No.4 has also not taken into consideration the true purport of G.O.Ms.No.6, Animal Husbandry, Dairy Development & Fisheries (V&F) Department, dated 24.03.2016, which reads as under:

“(i) One acre Water spread area to each member in case of perennial/canal fed Water sources; and

(ii) Two acres Water spread area to each member in case of all other water sources (Rain fed).”

Therefore, this Court is of the opinion that the impugned letter is liable to be set aside.

Accordingly, the Writ Petition is allowed by setting aside the impugned letter dated 30.11.2021 and the matter is

remanded back to the respondent No.4 for taking into consideration as to whether the water bodies, which are in existence in Ippalapalli and Challur Villages, are rain fed or canal fed and then, the respondent No.4 shall examine the feasibility of registering the society of the petitioners and pass orders for allocating necessary tanks for fishing, in accordance with G.O.Ms.No.6 dated 24.03.2016. It is needless to mention that before passing any such order, both the parties shall be put on notice and given an opportunity of hearing.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

A. ABHISHEK REDDY, J

26th APRIL, 2022.

Note: issue c.c. today.

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