HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 32993 OF 2024

Between:

1. Putta Anjaiah, S/o. Narsaiah, aged: 47 Years, Occ: Fishermen, R/o. H. No. 6-26, Medaram Village of Dharmaram (M), Peddapalli District.

2. Arige Rajesham, S/o. Rayamallu, aged: 46 Years, Occ: Fishermen, R/o. H. No.8-18, Medaram Village, Dharmaram (M), Peddapalli District.

3. Katta Laxman, S/o. Pochaiah, aged: 47 Years, Occ: Fishermen, R/o. H. No.8-7, Medaram, Village, Dharmaram (M), Peddapalli District.

4. Katta Pochaiah, S/o. Bakkaiah, 56 Years, Occ: Fishermen, R/o. H. No.8-7, VTC Medaram Village, Dharmaram (M), Peddapalli District.

5. Katta Naresh, S/o. Odaiah, aged: 44 Years, Occ: Fishermen, R/o. H. No.7-63, Medaram Village, Dharmaram (M), Peddapalli District.

6. Arige Naresh, S/o. Lachaiah, aged: 35 Years, Occ: Fishermen, R/o. H. No.6-72, Medaram Village, Dharmaram (M), Peddapalli District.

7. Arige Abhilash, S/o. Lingaiah, aged: 18 Years, Occ: Fishermen, R/o. Medaram Village, Dharmaram (M), Peddapalli District.

8. Katta Swamy, S/o. Pochaiah, aged: 42 Years, Occ: Fishermen, R/o. H. No.8-7, Medaram Village, Dharmaram (M), Peddapalli District.

9. Arige Mahesh, S/o. Odaiah, aged: 39 Years, Occ: Fishermen, R/o. H. No. 8-10, Medaram Village, Dharmaram (M), Peddapalli District.

10. Arige Ravindher, S/o. Swamy, aged: 33 Years, Occ: Fishermen, R/o. H. No. 8-96, Medaram Village, Dharmaram (M), Peddapalli District.

11. Polaveni Bharath, S/o. Sathaiah, aged: 27 Years, Occ: Fishermen, R/o. H.No.7-59, Medaram Village, Dharmaram (M), Peddapalli District.

12. Butti Mahesh, S/o. Rayamallu, aged: 28 Years, Occ: Fishermen, R/o. H. No.8-2, Medaram Village, Dharmaram (M), Peddapalli District.

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WRIT PETITION NO: 32993 OF 2024

Between:

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a WRIT OF MANDAMUS declaring the action of the Respondent No.4 in not providing membership to the Petitioners in the Primary Fishermen Cooperative Society, Nandimedaram, Dharmaram Mandal, Peddapalli District, as per GOMs.No.98 dated 22-01-1964 and GOMs.No.74 dated 21-10-2011, GOMs.No.6 dated 24-03-2016 and GOMs.No.4 dated 04/07/2022, as illegal, arbitrary and violation of principles of natural justice and consequently direct the Respondents to provide membership to the Petitioners in the Primary Fishermen Cooperative Society, Nandimedaram, Dharmaram (M), Peddapalli District, as per GOMs.No.98 dated 22-01-1964 and GOMs.No.74 dated 21-10-2011, GOMs.No.6 dated 24-03-2016 and GOMs.No.4 dated 04/07/2022, in the interest of justice .

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to provide membership to the Petitioners in the Primary Fishermen Cooperative Society, Nandimedaram, Dharmaram (M), Peddapalli District, as per GOMs.No.98 dated 22-01-1964 and GOMs.No.74 dated 21-10-2011, GOMs.No.6 dated 24-03-2016 and GOMs.No.4 dated 04-07-2022, pending disposal of the main Writ Petition.

Counsel for the Petitioners: SRI M. RAM MOHAN REDDY

Counsel for the Respondent Nos.1,2 and 4: GP FOR HOME FOR AGRICULTURE

Counsel for the Respondent Nos.3 and 5: GP FOR REVENUE
Counsel for the Respondent Nos.6 to 8:---
The Court made the following: ORDER

THE HON'BLE SRI JUSTICE N.V.SHRAVAN KUMAR

Writ Petition No.32993 of 2024

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioner has placed a copy of the order of this Court in W.P.No.39110 of 2017 and batch which are filed with a grievance to constitute an Expert Committee/referring the matter to Telangana Commission for Backward Classes constituted under G.O.Ms.No.9 dated 16.11.2021 in order to evaluate and decide the fishing occupation which is meant for fishermen of Bestha/Bhoi, Gangaputra and Goondla communities *vide* common order dated 26.04.2024, wherein this Court *vide* common order dated 26.04.2024 has passed the following order:

> *"17. Therefore, this Court finds it appropriate to give direction to Principal Secretary, Department of Animal Husbandry, Dairy Development and Fisheries as well as Principal Secretary, Department of Social welfare and Backward Classes to constitute an expert committee in order to evaluate and decide the fishing occupation by the respective communities, keeping in view all the previous Government Orders and reports of the Commission. Accordingly, Principal Secretary, Department of Animal Husbandry, Dairy Development and Fisheries as well as Principal*

Secretary, Department of Social welfare and Backward Classes shall constitute an expert committee within a period of three months from the date of receipt of a copy of this order. On such constitution, within three months thereafter, the Committee shall take a decision in accordance with law. Needless to state that the present issue is confined only to those Societies where the dispute between Besta/Goondla/Gangaputhra Community and Mudiraj/Mutras/Tenugollu community in regard to their fishing rights are concerned still subsists."

2. Today, when the matter is taken up for hearing, learned counsel for the petitioner submits that the core issue involved in this writ petition would be addressed if similar order is passed referring to the Expert Committee.

3. Learned Government Pleader for Fisheries does not dispute the same and would submit that to the extent of referring this matter to the Expert Committee, appropriate orders may be passed.

4. Heard learned counsel on both sides. Perused the record.

5. Without expressing any opinion on merits and with the consent of learned counsel on either side, this writ

petition is disposed of in terms of common order passed by this Court on 26.04.2024 in W.P.No.39110 of 2017 and batch. Needless to mention that if the Committee has already been constituted, the cases of the petitioner herein shall also be considered in those lines as prescribed in the common order dated 26.04.2024.

6. With the above directions, writ petition is disposed of, accordingly.

Miscellaneous petitions, pending, if any, shall stand closed. However, there shall be no order as to costs.

SD/-L. LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Revenue department), Secretariat buildings, Hyderabad.
2. The District Collector, Kothagudem, Bhadradri Kothagudem district.
3. The Tahsildar, Annapureddypalli mandal, Bhadradri Kothagudem district.
4. One CC to SRI. G RAVI CHANDRA SEKHAR Advocate [OPUC]
5. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana. [OUT]
6. Two CD Copies

KKS
BS

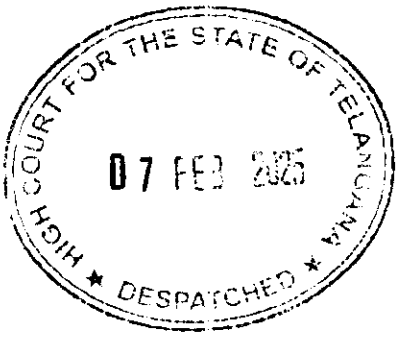
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HIGH COURT

DATED:28/11/2024

ORDER

WP.No.32993 of 2024



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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27/1/25
9 copies