

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

THURSDAY, THE THIRTY FIRST DAY OF AUGUST
 TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO: 24238 OF 2023

Between:

- 1) Palli Gangadhar S/o.Nadipu Gangaram, Age 55 years, Occ: Fishermen, R/o.Village and Mandal Bheemaram, Dist. Jagital
- 2) Bonthala Narsaiah S/o.Rajam, Age 53 years, Occ:Fishermen, R/o.H.No.6-111, Village and Mandal Bheemaram, Dist. Jagital.
- 3) Pallipedolla Gangadhar S/o.Chinna Bheemaiah, Age 49 years, Occ:Fishermen, R/o.H.No.6-112, Village and Mandal Bheemaram, Dist. Jagital.
- 4) Boini Anil Kumar S/o.Anjaiah, Age 26 years, Occ:Fishermen, R/o.H.No.6-9/1, Village and Mandal Bheemaram, Dist. Jagital.
- 5) Chiluveri Rajam S/o.Gangaram, Age 30 years, Occ:Fishermen, R/o.H.No.6-3, Village and Mandal Bheemaram, Dist. Jagital.
- 6) Boini Pedda Gangaram S/o.Lasmaiah, Age 66 years, Occ:Fishermen, R/o.H.No.6-4, Village and Mandal Bheemaram, Dist. Jagital.
- 7) Chiluveri Bheemaiah S/o.Gangaram, Age 38 years, Occ:Fishermen, R/o.H.No.9-3, Village and Mandal Bheemaram, Dist. Jagital.
- 8) Boini Ganga Narsaiah S/o.Gangaram, Age 42 years, Occ:Fishermen, R/o.H.No.9-10, Village and Mandal Bheemaram, Dist. Jagital.
- 9) Mandula Narsaiah S/o.Sayab, Age 57 years, Occ:Fishermen, R/o.H.No.6-122/2, Village and Mandal Bheemaram, Dist. Jagital.
- 10) Gaje Gangaram S/o.Chinna Narsaiah, Age 47 years, Occ:Fishermen, R/o.H.No.4-56, Village and Mandal Bheemaram, Dist. Jagital.
- 11) Gaje Naveen S/o.Gangaram, Age 27 years, Occ:Fishermen, R/o.H.No.4-56, Village and Mandal Bheemaram, Dist. Jagital.

- 12) Nemula Bhumaiah S/o.Rajam, Age 50 years, Occ:Fishermen, R/o.H.No.3-31/A, Village and Mandal Bheemaram, Dist. Jagital.
- 13) Gaje Ganga Narsaiah S/o.Rajam, Age 24 years, Occ:Fishermen, R/o.H.No.6-1, Village and Mandal Bheemaram, Dist. Jagital.
- 14) Nimma Gangadhari S/o.Ganga Bheemaiah, Age 48 years, Occ:Fishermen, R/o.H.No.6-106, Village and Mandal Bheemaram, Dist. Jagital.
- 15) Deshaveni Ganga Narsaiah S/o.Tukaram, Age 37 years, Occ:Fishermen, R/o.H.No.6-23, Village and Mandal Bheemaram, Dist. Jagital.
- 16) Deshavani Gangadhar S/o.Tukkaiah, Age 27 years, Occ:Fishermen, R/o.H.No.6-23, Village and Mandal Bheemaram, Dist. Jagital.
- 17) Palli Kishan S/o.Gangaram, Age 33 years, Occ:Fishermen, R/o.H.No.6-18, Village and Mandal Bheemaram, Dist. Jagital.
- 18) Goddani Ganga Narsaiah S/o.Gangaram, Age 44 years, Occ:Fishermen, R/o.H.No.6-101, Village and Mandal Bheemaram, Dist. Jagital.
- 19) Palli Ajay S/o.Bheemaiah, Age 27 years, Occ:Fishermen, R/o.H.No.6-10, Village and Mandal Bheemaram, Dist. Jagital.
- 20) Boini Anjaiah S/o.Hanmanthu, Age 72 years, Occ:Fishermen, R/o.H.No.6-108, Village and Mandal Bheemaram, Dist. Jagital.
- 21) Nimma Shiva Gangaram S/o.Ganga Bhumaiah, Age 39 years, Occ:Fishermen, R/o.H.No.6-97, Village and Mandal Bheemaram, Dist. Jagital.
- 22) Boini Chinna Gangaram S/o.Lasmaiah, Age 63 years, Occ:Fishermen, R/o.H.No.6-12, Village and Mandal Bheemaram, Dist. Jagital.
- 23) Boini Gangadhar S/o.Gangaram, Age 27 years, Occ:Fishermen, R/o.H.No.6-12, Village and Mandal Bheemaram, Dist. Jagital.
- 24) Thokala Rajam S/o.Venkaiah, Age 62 years, Occ:Fishermen, R/o.H.No.6-24, Village and Mandal Bheemaram, Dist. Jagital.
- 25) Chennaveni Narayana S/o.Dubbaiah, Age 57 years, Occ:Fishermen, R/o.H.No.6-14, Village and Mandal Bheemaram, Dist. Jagital.

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- 26) Mandhula Madhu S/o.Rajam, Age 38 years, Occ:Fishermen, R/o.H.No.9-36, Village and Mandal Bheemaram, Dist. Jagital.
- 27) Mandhula Ganga Narsaiah S/o.Rajam, Age 42 years, Occ:Fishermen, R/o.H.No.4-56, Village and Mandal Bheemaram, Dist. Jagital.
- 28) Chiluveri Dharma Raju S/o.Narsaiah, Age 37 years, Occ:Fishermen, R/o.H.No.6-21, Village and Mandal Bheemaram, Dist. Jagital.
- 29) Thokala Gangaram S/o.Bheemaiah, Age 59 years, Occ:Fishermen, R/o.H.No.6-25/1, Village and Mandal Bheemaram, Dist. Jagital.
- 30) Mandhula Laxman S/o.Ashalu, Age 32 years, Occ:Fishermen, R/o.H.No.6-15, Village and Mandal Bheemaram, Dist. Jagital.
- 31) Gaje Vallagondam S/o.Chinna Narsaiah, Age 52 years, Occ:Fishermen, R/o.H.No.4-57, Village and Mandal Bheemaram, Dist. Jagital.
- 32) Mandhula Ramulu S/o.Ashalu, Age 32 years, Occ:Fishermen, R/o.H.No.6-15, Village and Mandal Bheemaram, Dist. Jagital.
- 33) Gaje Rajanna S/o.Laxmi Rajam, Age 48 years, Occ:Fishermen, R/o.H.No.4-59, Village and Mandal Bheemaram, Dist. Jagital.
- 34) Nimma Vamshi S/o.Gangaraddy, Age 27 years, Occ:Fishermen, R/o.H.No.6-97/1, Village and Mandal Bheemaram, Dist. Jagital.
- 35) Chiluveri Arjun S/o.Gangaram, Age 38 years, Occ:Fishermen, R/o.H.No.6-3, Village and Mandal Bheemaram, Dist. Jagital.
- 36) Mandhula Rajender S/o.Chinna Rajam, Age 31 years, Occ:Fishermen, R/o.H.No.6-122/1, Village and Mandal Bheemaram, Dist. Jagital.
- 37) Mandhula Ramesh S/o.Rajam, Age 43 years, Occ:Fishermen, R/o.H.No.6-123, Village and Mandal Bheemaram, Dist. Jagital.
- 38) Chiluveri Karnesh S/o.Bheemaiah, Age 34 years, Occ:Fishermen, R/o.H.No.6-20, Village and Mandal Bheemaram, Dist. Jagital.
- 39) Chiluveri Dharmender S/o.Bheemaiah, Age 29 years, Occ:Fishermen, R/o.H.No.6-20, Village and Mandal Bheemaram, Dist. Jagital.

- 40) Korika Gangaram S/o.Narsaiah, Age 52 years, Occ:Fishermen, R/o.H.No.2-71/B, Village and Mandal Bheemaram, Dist. Jagital.
- 41) Chennaveni Ramesh S/o.Narayana, Age 33 years, Occ:Fishermen, R/o.H.No.6-14, Village and Mandal Bheemaram, Dist. Jagital.
- 42) Chennaveni Bhumesh S/o.Rajam, Age 41 years, Occ:Fishermen, R/o.H.No.6-103, Village and Mandal Bheemaram, Dist. Jagital.
- 43) Palli Ramulu S/o.Nadipi Gangaram, Age 58 years, Occ:Fishermen, R/o.H.No.6-17, Village and Mandal Bheemaram, Dist. Jagital.
- 44) Palli Dharmaiyah S/o.Narsingham, Age 57 years, Occ:Fishermen, R/o.H.No.3-27, Village and Mandal Bheemaram, Dist. Jagital.
- 45) Pogula Mallesham S/o.Ashalu, Age 42 years, Occ:Fishermen, R/o.H.No.6-32, Village and Mandal Bheemaram, Dist. Jagital.
- 46) Thokala Radha Shankar S/o.Gangaram, Age 43 years, Occ:Fishermen, R/o.H.No.6-24/1, Village and Mandal Bheemaram, Dist. Jagital.
- 47) Thokala Narsavva W/o.Chinna Bheemaiah, Age 75 years, Occ:Fishermen, R/o.H.No.6-25, Village and Mandal Bheemaram, Dist. Jagital.
- 48) Chennaveni Chinna Narsaiah S/o.Dubbaiah, Age 55 years, Occ:Fishermen, R/o.H.No.6-13, Village and Mandal Bheemaram, Dist. Jagital.
- 49) Pittala Jalandhar S/o.Pochaiah, Age 47 years, Occ:Fishermen, R/o.H.No.6-79, Village and Mandal Bheemaram, Dist. Jagital.
- 50) Palli Dharmender S/o.Ganga Bheemaiah, Age 33 years, Occ:Fishermen, R/o.H.No.5-89/1, Village and Mandal Bheemaram, Dist. Jagital.
- 51) Gaje Vinod S/o.Lachanna, Age 34 years, Occ:Fishermen, R/o.H.No.6-86, Village and Mandal Bheemaram, Dist. Jagital.
- 52) Palli Gangadhar S/o.Narsingham, Age 62 years, Occ:Fishermen, R/o.H.No.6-107, Village and Mandal Bheemaram, Dist. Jagital.
- 53) Chennayeni Ramesh S/o.Pedda Narsaiah, Age 45 years, Occ:Fishermen, R/o.H.No.1-15/A, Village and Mandal Bheemaram, Dist. Jagital.

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- 54) Palli Thirupathi S/o.Dharmaiah, Age 40 years, Occ:Fishermen, R/o.H.No.6-118, Village and Mandal Bheemaram, Dist. Jagital.
- 55) Palli Praveen S/o.Dharmaiah, Age 38 years, Occ:Fishermen, R/o.H.No.6-119, Village and Mandal Bheemaram, Dist. Jagital.
- 56) Palli Pradeep Kumar S/o.Dharmaiah, Age 29 years, Occ:Fishermen, R/o.H.No.6-109, Village and Mandal Bheemaram, Dist. Jagital.
- 57) Deshavni Ravi S/o.Bheemaiah, Age 38 years, Occ:Fishermen, R/o.H.No.6-22, Village and Mandal Bheemaram, Dist. Jagital.
- 58) Deshavni Bhumaiah S/o.Gangaram, Age 58 years, Occ:Fishermen, R/o.H.No.6-22, Village and Mandal Bheemaram, Dist. Jagital.
- 59) Palli Raju S/o.Ganga Bheemaiah, Age 29 years, Occ:Fishermen, R/o.H.No.5-41, Village and Mandal Bheemaram, Dist. Jagital.
- 60) Palli Santosh S/o.Kishan, Age 34 years, Occ:Fishermen, R/o.H.No.3-84, Village and Mandal Bheemaram, Dist. Jagital.
- 61) Palli Harish Kumar S/o.Kishan, Age 31 years, Occ:Fishermen, R/o.H.No.3-84, Village and Mandal Bheemaram, Dist. Jagital.

..Petitioners

AND

- 1) The State of Telangana, Rep. by its Principal Secretary,Agricultural and Animal Husbandry Dairy Development and Fisheries Department, Secretariat buildings, Hyderabad.
- 2) Commissioner of Fisheries, Telangana State, Hyderabad.
- 3) The District Collector, Jagital, Jagital District.
- 4) The District Fisheries Officer, Jagital cum Ex Officio Deputy Registrar of Co-operative Societies, Jagital.
- 5) The President, Rangapur Primary Fishing Co-Operative Society Limited, Rangapur village and Mandal,Dist: Jagital.

..Respondents

The address for service on the above named Petitioners is that of their counsel **Kondadgi Ajay Kumar (18659), Advocate, #202, Vasavi Srimukh Complex, Beside Westside, Himayathnagar**

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 or order more particularly one in the nature of writ of mandamus or any other appropriate writ or order or orders declaring the inaction of Respondents No.1 to 4 in considering the petitioners representation 16-08-2023 to provide the membership to the petitioners in Rangapur Primary Fisheries Cooperative Society Ltd., as being arbitrary, vindictive, illegal, violative of Articles 14, 16 and 21 of the Constitution of India and against to the principles of Natural Justice, and consequently direct the Respondents to admit the petitioners into Rangapur Primary Fishermen Cooperative Society., and allot the fish ponds to the petitioners by following due procedure and law

IA NO: 1 OF 2023

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 not to allot fishing tanks situated in Rangapur Village and Mandal to fishermen pending application of the petitioners, pending disposal of the above writ petition

Counsel for the Petitioners: SRI KONDADI AJAY KUMAR

**Counsel for Respondent Nos. 1, 2 & 4: Ms. P. SUMALATHA,
AGP FOR FISHERIES**

Counsel for Respondent No. 3: GP FOR REVENUE

Counsel for Respondent No. 5: -----

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION No.24238 OF 2023

ORDER:

Heard Sri Kondadi Ajay Kumar, learned counsel for the petitioners, Ms.P.Sumalatha, learned Assistant Government Pleader for Fisheries, who is representing respondent Nos.1, 2 and 4 and learned counsel for respondent No.5.

2. This writ petition is filed aggrieved by the inaction of the respondent Nos.1 to 4 in considering the representation of the petitioners dated 16.08.2023.

3. Making his submission with regard to the merits of the matter, learned counsel for the petitioners contends that the petitioners were requesting all the concerned authorities to provide membership to them in Rangapur Primary Fishing Co-operative Society Limited, i.e., 5th respondent's society, however, the request of the petitioners is not considered till now.

4. Learned counsel for the petitioners states that very recently i.e., on 16.08.2023, the petitioners submitted another representation to the District Collector, Jagtial i.e., respondent

No.3 herein, but the same is kept pending till now without passing any orders. Learned counsel for the petitioners submits that no further orders in this writ petition are required except to direct respondent No.3 to enquire into the matter basing on the representation of the petitioners and to take a decision.

5. Neither learned Assistant Government Pleader for Fisheries nor learned counsel appearing for respondent No.5 raised objection for grant of such a relief. Also, the relief sought for appears justifiable in the light of the material that is produced on record, including the copy of the representation, dated 16.08.2023. Therefore, this Court considers it desirable to order the District Collector, Jagtial to enquire into the issue and pass appropriate orders.

6. Resultantly, the Writ Petition is disposed of with the following direction:

Respondent No.3-District Collector, Jagtial, is directed to enquire into the representation of the petitioners dated 16.08.2023 and pass appropriate orders strictly in accordance with law, within a period of four(4) weeks from the date of receipt of a copy of this order. The decision taken be

communicated to the petitioners. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

SD/-V.KAVITHA
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The District Collector,, Jagital, Jagital District.
2. One CC to Sri Kondadi Ajay Kumar Advocate [OPUC]
3. Two CCs to GP For Fisheries ,High Court for the State of Telangana. [OUT]
4. Two CCs to GP For Revenue, High Court for the State of Telangana. [OUT]
5. Two CD Copies

MBC

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HIGH COURT

DATED: 31/08/2023



ORDER

WP.No.24238 of 2023

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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M/S
11/9/23