



WEDNESDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 19290 OF 2023

Between:

1. BADDIPUDI FISHERMEN CO OPERATIVE SOCIETY LTD., (V.17), Rep. its President, Kudumula Moshe, S/o. Subbaiah, Hindu, Aged about 63 years, R/o. H.No. 2-20, Baddipudi Village, Vulavapadu Mandal, Nellore District,

Petitioner

AND

1. The State of AP, Animal Husbandary, Dairy Development and Fisheries (Fish) Department, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi, Guntur District.
2. The Commissioner of Fisheries cum Ex-officio-Registrar of Fishermen Co-operative Societies, Poranki, Vijayawada, Krishna District.
3. The Joint Director of Fisheries, Sri Pottisriramulu Nellore District. Nellore.
4. The Assistant Director of Fisheries, Kavali, Sri Pottisriramulu Nellore District.
5. The Fisheries Development Officer, Kavali, Sri Pottisriramulu Nellore District.

Respondents

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 issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Proceedings issued by the respondent, vide his Memo. No. 453/A/23 as illegal, arbitrary and contrary to the Rules and regulations in force and the Memo. No. 453/A/23 issued by the 3rd respondent is with out any power or authority given under any statutory provision or Rules and Regulations in force when the elected Managing Committee of the petitioner society is in existence, appointing a Committee to conduct the fishing operations under the supervision of the Committee is illegal and contrary to Article 14 of the Constitution of India and consequently set aside the Memo. No. 453/A/23 issued by the 3rd respondent as it is issued in violation of Principles of Natural Justice

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 suspend the operation of the Memo. No. 453/A/23 issued by the 3rd respondent pending disposal of the main Writ Petition, Pending disposal of WP 19290 of 2023, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI G VIJAYA BABU Advocate for the Petitioner, GP FOR FISHERIES Advocate for the Respondents and the Court made the following.

ORDER

"Heard the learned counsel for the petitioner and learned Government Pleader for the respondents.

There shall be an interim suspension of operation of the memo dated 28.06.2023 till the next date hearing.

Learned Government Pleader is directed to file counter.
Post the matter after three(3) weeks."

//TRUE COPY//

Sd/- S: SRINIVASA PRASAD
ASSISTANT REGISTRAR

For

SECTION OFFICER

To,

1. THE Principal Secretary, Animal Husbandary, Dairy Development, Fisheries (Fish) Department, State Of AP, Secretariat Buildings, Velagapudi, Guntur District. (by RPAD)
2. The Commissioner of Fisheries cum Ex-officio-Registrar of Fishermen Co-operative Societies, Poranki, Vijayawada, Krishna District. (by RPAD)
3. The Joint Director of Fisheries, , Sri Pottisriramulu Nellore District. Nellore. (by RPAD)
4. The Assistant Director of Fisheries, Kavali, Sri Pottisriramulu Nellore District. (by RPAD)
5. The Fisheries Development Officer, Kavali, Sri Pottisriramulu Nellore District. (by RPAD)
6. One CC to SRI. G VIJAYA BABU Advocate [OPUC]
7. Two CCs to GP FOR FISHERIES ,High Court Of Andhra Pradesh. [OUT]
8. Two spare copy

HIGH COURT

NVJ

DATED:02/08/2023

ORDER

WP.No.19290 of 2023

INTERIM SUSPENSION

