

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE EIGHTEENTH DAY OF JULY TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 28992 OF 2022

Between:

1. Talari Savaranna, S/o. Talari Peddanna
2. Boya Laxmanna, S/o. B. Erranna
3. Boya Govindamma, W/o. B. Laxmanna
4. Boya Shivanarayana, S/o. B. Talari Ramulu
5. Boya Talari Ramudu, S/o. B. Talari Erranna
6. N. Bhimudu, S/o. N. Chinnamudhanna
7. M. Ramulu, S/o. M. Mudhanna
8. M.D. Chand Pasha, S/o. Janimiya
9. Kurva Jayamma, W/o. Narsimulu
10. B. Venkatesh, S/o. Venkatramulu ✓
11. B. Venkatramudu, S/o. B. Ramudu
12. B. Ramakrishna, S/o. B. Ramudu ✓
13. Boya Anjaneyulu, S/o. B. Savaranna
14. M. Mudhanna, S/o. M. Hanmanna
15. Boya Ramanjaneyulu, S/o. B. Ampanna
16. M. Thammanna, S/o. M. Buddanna
17. Goka Ramma, W/o. Talari Peddanna ✓
18. B. Krishna, S/o. B. Karrenna
19. B. Govindamma, W/o. B. Krishna
20. H. Prasad, S/o. Nataneyulu
21. M.D. Mahaboob, S/o. Mastan Sab
22. E. Sheshikala, W/o. Laxmanna Goud
23. M. Hanumanthu, S/o. Dubbanna ✓
24. M. Ravi, S/o. B. Sunkanna
25. B. Nadipanna, S/o. B. Karrenna
26. M. Thimmappa, S/o. M. Thimmappa
27. Kurva Papanna, S/o. K. Venkatanna
28. Erakula Krishna, S/o. Narsanna
29. B. Kistanna, S/o. B. Karrenna

...Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Animal Husbandry and Fisheries Department, Secretariat, Hyderabad.
2. The Commissioner, Animal Husbandry and Fisheries Department, Secretariat, Hyderabad.
3. The District Collector, Jogulamba Gadwal District, Gadwal, Telangana State.
4. The District Fisheries Officer, Jogulamba Gadwal District Gadwal, Telangana State.

...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 to issue an appropriate Writ, order or direction more particularly one in the nature WRIT OF MANDAMUS, declaring the action of the Respondent No.4 herein in not issuing licences to the petitioners to conduct fishing in Nagardoddi Balancing Reservoir, Nagardoddi Village, Maldakal Mandal, Jogulamba-Gadwal District as provided for in the G.O. Ms. No.68, Irrigation and CAD (Project Wing-LA-IV-R and R) Department dated 08/04/2005 despite they being entitled to the same as land losers as per the said G.O. as also under The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013' (Act 30 of 2013) as being illegal, arbitrary, unconstitutional and violative of the fundamental rights of the petitioners guaranteed under Articles 14, 19 and 21 of the Constitution of India and consequently direct the official respondent authorities to issue licences to the petitioners to conduct fishing operations in Nagardoddi Balancing Reservoir, Nagardoddi Village, Maldakal Mandal, Jogulamba-Gadwal District on a permanent basis.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent Nos.3 and 4 to consider and pass appropriate orders in accordance with law on the representations submitted by the petitioners dated 30-09-2020 and 05-10-2020, pending disposal of WP.No.28992 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. N.S. ARJUN KUMAR Advocate for the Petitioners, GP FOR FISHERIES for the Respondent Nos.1, 2 and 4 and GP FOR REVENUE for the Respondent No.4, the Court made the following.

ORDER:

There shall be interim direction to the Respondent Nos.3 & 4 to consider the representations submitted by the petitioner on 30-9-2020 and 5-10-2020 by taking into account the common order passed by this court in WP.Nos.17580/2017 & 4378/2019 dated 24-4-2019. The representations of the petitioner shall be disposed of in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

Post on 22.8.2022. meanwhile, counter if any to be filed.

//TRUE COPY//

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Animal Husbandry and Fisheries Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner, Animal Husbandry and Fisheries Department, Secretariat, Hyderabad.
3. The District Collector, Jogulamba Gadwal District, Gadwal, Telangana State.
4. The District Fisheries Officer, Jogulamba Gadwal District Gadwal, Telangana State (RR 1 to 4 by RPAD).
5. One CC to M/s. N.S. ARJUN KUMAR, Advocate [OPUC].
6. Two CCs to GP FOR FISHERIES, High Court for the State of Telangana at Hyderabad [OUT].
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT].
8. One spare copy
ZEE

HIGH COURT

BVRJ

DATED:18/07/2022

POST ON 22.08.2022

ORDER

WP.No.28992 of 2022

INTERIM DIRECTION

