

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 855 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal Preferred Against
the Order Dated 16/04/2026, Passed in W.P. No. 11474 of 2026 on the file of the
High Court.

Between:

The Fisherman Co-operative Society,
Vandanam Village, Chintakani Mandal,
Khammam District,
Represented by its President,
Chiluka Venkateshwarlu S/o Late Gopaiah,
Aged about 54 years.

... Appellant /
Respondent No.4

AND

1. Lakavath Satyanarayana, S/o Bhushaiah,
aged about 33 years, Occ: Fisherman.
2. Lakavath Ramakrishna, S/o Venkateshwarlu,
aged about 40 years, Occ: Fisherman.
3. Lakavath Ramesh, S/o Bhushaiah,
aged about 39 years, Occ: Fisherman.
4. Lakavath Rambabu, S/o Bhushaiah,
aged about 45 years, Occ: Fisherman.
5. Lakavath Narsimha Rao, S/o Bhushaiah,
aged about 35 years, Occ: Fisherman.
6. Lakavath Venkateshwarlu, S/o Nagulu,
aged about 45 years, Occ: Fisherman.
7. Lakavath Harish, S/o Venkateshwarlu,
aged about 35 years, Occ: Fisherman.

45

8. Jalabara Achaiah, S/o Ramalingam,
aged about 40 years, Occ: Fisherman.

9. Jalabara Lalbabu, S/o Thirupataiah,
aged about 40 years, Occ: Fisherman.

10. Jalabara Sathish, S/o Thirupataiah,
aged about 37 years, Occ: Fisherman.

11. Shaik Pedda Nasarmiya, S/o Lal Saheb Chinna,
aged about 58 years, Occ: Fisherman.

12. Shaik Yakub Pasha, S/o Pedda Nasarmiya,
aged about 24 years, Occ: Fisherman.

13. Shaik Chinna Yakub, S/o Saidulu,
aged about 45 years, Occ: Fisherman.

14. Shaik Janimiya, S/o Nadipi Lal Saheb,
aged about 55 years, Occ: Fisherman.

15. Shaik Chinna Nasar Miya, S/o Chinna Lal Saheb,
aged about 45 years, Occ: Fisherman.

16. Shaik Hussain, S/o Lal Saheb,
aged about 38 years, Occ: Fisherman.

17. Shaik Pasha, S/o Lal Saheb,
aged about 35 years, Occ: Fisherman.

18. Annarapu Yesu, S/o Lalaiah,
aged about 40 years, Occ: Fisherman.

19. Regulla Venkateshwarulu, S/o Lingaiah,
aged about 53 years, Occ: Fisherman.

20. Yallvula Ganesh, S/o Krishna,
aged about 25 years, Occ: Fisherman.

21. Garidepalli Nageshwarao, S/o Veerabhadram,
aged about 35 years, Occ: Fisherman.

- 5 -

22. Garidepalli Srinu, S/o Veerabhadram,
aged about 37 years, Occ: Fisherman.

23. Battula Venkanna, S/o Guruvulu,
aged about 33 years, Occ: Fisherman.

24. Bathula Lakshmaiah, S/o Guruvulu,
aged about 40 years, Occ: Fisherman.

25. Amarlapudi Srinu, S/o Sanjeeva,
aged about 55 years, Occ: Fisherman.

26. Amarlapudi Ravi, S/o Sanjeeva,
aged about 48 years, Occ: Fisherman.

27. Jhukki Tirupati Rao, S/o Ramaiah,
aged about 53 years, Occ: Fisherman.

28. Bondala Mukhesh, S/o Mariyanna,
aged about 22 years, Occ: Fisherman.

29. Dammalapati Murali, S/o Chandraiah,
aged about 30 years, Occ: Fisherman.

30. Amarlapudi Sundar Rao, S/o Samelu,
aged about 37 years, Occ: Fisherman.

31. Amarlapudi Ashok, S/o Bhushi,
aged about 35 years, Occ: Fisherman.

32. Rentala Naresh, S/o Devadanam,
aged about 26 years, Occ: Fisherman.

33. Bondala Swamidasu, S/o Nadipi Lalu,
aged about 45 years, Occ: Fisherman.

34. Ooru Ramulu, S/o Chandraiah,
aged about 45 years, Occ: Fisherman.

35. Ooru Rajesh, S/o Venkateshwarlu,
aged about 35 years, Occ: Fisherman.

- 6 -
36. Usikala Suresh, S/o Veerabhadram,
aged about 25 years, Occ: Fisherman.
 37. Usikala Naresh, S/o Veerabhadram,
aged about 24 years, Occ: Fisherman.
 38. Mittapalli Kondalrao, S/o Nagulu,
aged about 35 years, Occ: Fisherman.
 39. Narapogu Venkateshwarlu, S/o Gopalu,
aged about 40 years, Occ: Fisherman.
 40. Joneboina Yallaraju, S/o Seetaramulu,
aged about 35 years, Occ: Fisherman.
 41. Joneboina Lingaiah, S/o Appaiah,
aged about 40 years, Occ: Fisherman.
 42. Joneboina Upendhar, S/o Venkateshwarlu,
aged about 35 years, Occ: Fisherman.
 43. Joneboina Purashuram, S/o Veeraswamy,
aged about 28 years, Occ: Fisherman.
 44. Avula Harish, S/o Ithamraju,
aged about 28 years, Occ: Fisherman.
 45. Avula Vinod, S/o Nageshwarao,
aged about 26 years, Occ: Fisherman.
 46. Avula Ramulu, S/o Nanaiah,
aged about 35 years, Occ: Fisherman.
 47. Avula Srinu, S/o Nanaiah,
aged about 40 years, Occ: Fisherman.
 48. Avula Pullarao, S/o Pedda Saidulu,
aged about 30 years, Occ: Fisherman.
 49. Podila Tirapaiah, S/o Venkatesham,
aged about 40 years, Occ: Fisherman.

- 7 -

50. Avula Pulla Rao, S/o Raghavalu,
aged about 35 years, Occ: Fisherman.

51. Avula Nagaraju, S/o Saidulu,
aged about 35 years, Occ: Fisherman.

52. Auvula Srinivasa Rao, S/o Pedda Venkaiah,
aged about 45 years, Occ: Fisherman.

53. Avula Ramarao, S/o Kalivela Raju,
aged about 35 years, Occ: Fisherman.

54. Avula Veeraiah, S/o Uparashaiah,
aged about 45 years, Occ: Fisherman.

55. Avula Pitchaiah, S/o Seethaiah,
aged about 35 years, Occ: Fisherman.

56. Padidam Narayana, S/o Venkateshwarlu,
aged about 45 years, Occ: Fisherman.

57. Avula Nagaraju, S/o Gangaraju,
aged about 38 years, Occ: Fisherman.

58. Ragam Nageshwara Rao, S/o Satyam,
aged about 28 years, Occ: Fisherman.

59. Shanagarapu Ramakotaiah, S/o Narayana,
aged about 50 years, Occ: Fisherman.

60. Shaik Yesumiya, S/o Hasan Saheb,
aged about 55 years, Occ: Fisherman.

All are residents of Vandanam Village,
Chintakani Mandal, Khammam District.

... Respondent Nos.1 to 60 /
Writ Petitioners

61. The State of Telangana,
Rep. by its Principal Secretary,
Fisheries Department,
Secretariat, Hyderabad.

62. The Commissioner of Fisheries,
State of Telangana,
Masab Tank, Hyderabad.

63. The Assistant Director of Fisheries /
District Fisheries Officer,
Khammam District.

... Respondents /
Respondent Nos.1 to 3 in W.P.

I.A. NO: 3 OF 2026

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 order dated 16/04/2026 passed in W.P.No.11474 of 2026 and consequently suspend the operation of Memo No.138/A/2024, dated 13/07/2026 issued by the 3rd respondent and all further proceedings, including the proposed skill test and consideration of the unofficial respondents/writ petitioners for admission as members into the Appellant Society, pending disposal of the Writ Appeal

Counsel for the Appellant: SRI. D L PANDU

**Counsel for the Respondent Nos.1 to 60: SRI K. PAVAN KUMAR,
REPRESENTING SRI. M V HANUMANTHA RAO
Counsel for the Respondent Nos.61 to 63: SRI GADDAM KIRAN KUMAR,
AGP FOR FISHERIES**

The Court Delivered the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.855 of 2026

Dated:17.08.2026

Between:

The Fisherman Co-operative Society,
Vandanam Village, Chintakani Mandal,
Khammam District,
Represented by its President,
Chiluka Venkateshwarlu, S/o. Late Gopaiah,
Aged about 54 years.

...Appellant

and

Lakavath Satyanarayana,
and 62 others.

...Respondents

JUDGMENT:

Learned counsel Sri D.L.Pandu appears for the appellant.

Learned counsel Sri K.Pavan Kumar, representing learned
counsel Sri M.V.Hanumantha Rao, appears for respondents No.1 to 60.

Sri Gaddam Kiran Kumar, learned Government Pleader for Fisheries Department, appears for respondents No.61 to 63.

2. The appellant, who is respondent No.4 in W.P.No.11474 of 2026, is aggrieved by the judgment dated 16.04.2026 passed in the said writ petition whereby the learned writ court, without issuing any notice or opportunity of hearing to the appellant, allowed the writ petition by setting aside the proceedings dated 23.02.2024 issued by the Assistant Director of Fisheries by which the applications of respondents No.1 to 60, who were writ petitioners, for admission as members of the appellant were rejected on the ground that their castes were not included in the prescribed list of communities under the relevant Government Orders.

3. On the part of the appellant, apart from the ground of lack of opportunity to represent though it was directly affected, it is contended that the membership of any such body or individual is subject to statutory and regulatory requirements including under G.O.Ms.No.98 dated 22.01.1964 and G.O.Ms.No.74 dated 21.10.2011, which prescribed fishing skills, area of operation, registered byelaws and viability norms which the appellant could not place before the learned writ court. The learned writ court failed to consider the appellant's

registered byelaws, its existing membership and the applicable viability requirements, all of which have a direct bearing upon the admission of additional members into the appellant society. The learned writ court straightaway relied upon the order passed in W.P.No.34793 of 2013, dated 20.11.2015, against which a review petition is still pending as per the submission of the learned Government Pleader for the official respondents also. Therefore, the appellant has preferred this appeal.

4. Learned counsel for the writ petitioners submits that the impugned direction is innocuous in nature, as the official respondents have been directed to pass appropriate orders in accordance with law and in conformity with principles of natural justice by providing an opportunity of hearing to the writ petitioners. Therefore, the appellant would have the occasion to state its case in defence before the Assistant Director of Fisheries/District Fisheries Officer, Khammam, on reconsideration of the writ petitioners' applications.

5. It transpires that though the writ petition was filed seeking to quash the rejection order dated 23.02.2024 on grounds of being illegal, arbitrary, discriminatory and violative of principles of natural justice, but the order impugned in the writ petition was set aside without any opportunity to the official respondents also to file their counter affidavit.

6. The appellant is the society in which the writ petitioners sought their admission. In such a situation, without entering into the merits on the claim of the writ petitioners at this stage, we are of the considered opinion that if the writ petitioners wanted admission in the appellant society and they consciously impleaded the appellant, the writ petition ought to have been heard and decided after notice and opportunity of hearing to the concerned respondents. In judicial proceedings, when the rights and interests of parties are affected, it would only be reiteration of the settled principles that any final opinion on the challenge should be made after opportunity to the other side to defend itself.

7. In those circumstances and for the reasons recorded hereinabove, the impugned judgment cannot be sustained and it is accordingly set aside. The matter is remanded to the learned writ court to decide it afresh after an opportunity of hearing to all the concerned respondents. Let it be made clear that we have not gone into the merits of the contentions of the parties and any observations made hereinabove shall not influence the decision to be taken by the learned writ court.

8. The writ appeal is accordingly allowed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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SD/- K. SRINIVASA RAO
JOINT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, The State of Telangana, Fisheries Department, Secretariat, Hyderabad.
2. The Commissioner of Fisheries, State of Telangana, Masab Tank, Hyderabad.
3. The Assistant Director of Fisheries / District Fisheries Officer, Khammam District.
4. One CC to Sri D. L. Pandu, Advocate [OPUC]
5. One CC to Sri M. V. Hanumantha Rao, Advocate [OPUC]
6. Two CCs to the GP for Fisheries, High Court for the State of Telangana, at Hyderabad[OUT]
7. Two CD Copies

TJ

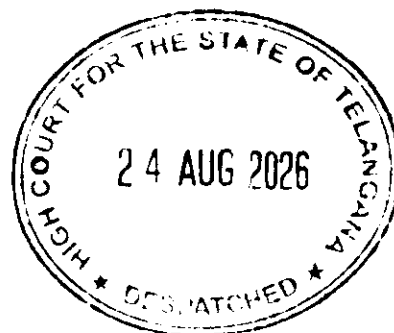
GJP

HIGH COURT

DATED: 17/08/2026

ORDER

WA.No.855 of 2026



**ALLOWING THE WRIT PETITION
WITHOUT COSTS**

(10) MT
24/8/26