



W.P(MD)No.25638 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25638 of 2023

and

W.M.P(MD)No.21812 of 2023

The Dhanuskodi Puyalaal Baathikapatta
Meenava Maruvaazhvu Sangam,
Represented by its President,
Chelladurai,
S/o.Pitchaikaran,
No.156, Natarajapuram,
Rameswaram Road and Post,
Rameswaram,
Ramanathapuram District.

... Petitioner

Vs.

- 1.The State represented by
The Secretary,
Animal Husbandry and Fisheries Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Fisheries,
3rd Floor, Integrated Animal Husbandry
and Fisheries Building,
Nandanam,
Chennai – 600 035.



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3.The Assistant Director of Fisheries,
Rameswaram,
Ramanathapuram,
Ramanathapuram District.

4.D.Antony Raj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to forbear the fourth respondent from illegally fishing and anchoring in the Coast of Dhanushkodi by implementing the proceedings of the third respondent in Na.Ka.No.3467/u/2020 dated 18.04.2023 within a time stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil

For Respondents : Mr.C.Satheesh
Government Advocate for R.1 to R.3

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3. Considering the nature of relief to be granted, issuance of notice to the fourth respondent is dispensed with.



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2.The petitioner is an association representing fishermen who are engaged in fishing by traditional methods. The fourth respondent is engaged in mechanised fishing. The writ petition was filed for forbearing the fourth respondent from engaging in fishing activities in the petition mentioned region.

3.When the matter was taken up for hearing, the learned Government Advocate informed the court that license had already been issued to the fourth respondent and that therefore this Court cannot prevent the fourth respondent from engaging any fishing activities.

4.The learned counsel for the petitioner drew my attention to Tamil Nadu Marine Fishing Regulation Rules, 1983 which states that the mechanized fishing shall not be conducted within three nautical miles from the coastal line. It is the duty of the official to ensure that the fourth respondent is carrying on his fishing activities beyond the prescribed limit. The authorities will also ensure that no one employs 10 mm gill nets.



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5.This writ petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

01.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
SKM

To

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Chennai – 600 009.

2.The Director of Fisheries,
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3.The Assistant Director of Fisheries,
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G.R.SWAMINATHAN, J.

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