

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WP.No.19469/2015

Rajamanickam

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Petitioner

Versus

1. The District Collector
Erode District, Erode.
2. The Executive Engineer
Public Works Department
Bhavani Sagar Dam, Bhavani Sagar.
3. The Special Officer
AA71, Kilvani Fishermen Cooperative Society
Kilvani, Anthiyur, Erode District.
4. The President,
AA71, Kilvani Fishermen Cooperative Society
Kilvani, Anthiyur, Erode District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to forthwith permit the petitioner to catch the fish at "Sanjeevarayan" pond, Perumugai village, Gobichettipalayam Taluk, Erode District, by considering the petitioner's representation dated 12.06.2015 in accordance to law.

For Petitioner : Mr.P.Saravana Sowmiyan
For RR 1 and 2 : Mrs.P.Rajalakshmi, GA
For RR3 and 4 : Mr.R.Balaramesh, AGP

ORDER

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims he is one of the members of AA71, Kilvani Fishermen Cooperative Society and his membership No.560 and that the Society was formed for the upliftment and livelihood of fishermen in Adasapalayam village. The petitioner would further state that the 1st respondent, vide proceedings dated 01.02.1999, had

permitted the water bodies belonging to the Public Works Department to be leased out to fishermen Cooperative Society for the purpose of fishing. The petitioner would also state that the pond by name "Sanjeevarayan" Pond belongs to the Public Works Department and it is situated at Perumugai village and it is usually given for lease by the 3rd respondent Society. The grievance expressed by the petitioner is that the 4th respondent, without leasing the same to the fishermen Cooperative Society, has permitted certain individuals to catch fish in violation of the Government Orders and in this regard, he has submitted a representation dated 12.06.2015 to the 1st respondent and since no response is forthcoming, the petitioner has come forward to file this writ petition.

3. Heard the learned counsel for the petitioner ; Mrs.P.Rajalakshmi, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2 and Mr.R.Balaramesh, learned Additional Government Pleader who accepts notice on behalf of the respondents 3 and 4.

4. This Court, without going into the merits of the petitioner's representation, directs the 1st respondent to consider and dispose of the petitioner's representation dated 12.06.2015 in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. The writ petition is disposed of accordingly. No costs.
AP

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Erode District, Erode.
2. The Executive Engineer
Public Works Department
Bhavani Sagar Dam, Bhavani Sagar.
3. The Special Officer
AA71, Kilvani Fishermen Cooperative Society
Kilvani, Anthiyur, Erode District.

4. The President,
AA71, Kilvani Fishermen Cooperative Society
Kilvani, Anthiyur, Erode District.

+ 1 cc to Mr.P.Saravana Sowmiyan, Advocate SR 33587

+ 1 cc to Govt.Pleader, High court, Madras SR 33646

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