

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice  
and  
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 24010 of 2015

FMC 10 Devampattu Vanna Meen  
Valarpor Cooperative Society  
Devampattu Village & Post  
Ponneri Taluk, Thiruvallur District 601 201  
rep. by its President ... Petitioner

vs.

1. The District Collector  
Thiruvallur District,  
Thiruvallur.
2. The Block Development Officer  
Ponneri Taluk, Ponneri.
3. The Tahsildar  
Ponneri Taluk, Ponneri.
4. The Directorate of Agriculture  
Ezhilagam, Chennai,  
rep. by its Director.
5. The Director  
Directorate of Fisheries  
D.M.S. Compound  
Chennai- 600 018.
6. The Forest Range Officer  
Palaverkadu & Post  
Ponneri Taluk, Tiruvallur District.
7. The District Environmental Engineer  
Tamilnadu Pollution Control Board  
77-A South Avenue Road  
Ambattur Industrial Estate  
Ambattur Taluk, Chennai-600058  
Thiruvallur District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents, their men, agents, servants etc. from in any manner interfering with nor disturbing the peaceful fishing activity carried on by the members of the petitioner society in respect of Devampattu, Agaram, Pallipalayam, Uppunelvayal, Periyakarumbur, Kanganamedu, Injurmedu @ Kattukulam, Milagumedam, Pothiarankulam and Umipedu Villages and direct the 5<sup>th</sup> respondent to issue proper licence for running the fishing activity and promote the activity by giving proper guidance, grants etc.

For Petitioner : Mr. T.S. Rajamohan  
For Respondents : Mr. S.T.S. Murthi  
Government Pleader  
assisted by Mr.V.R.Kamalanathan, AGP  
and Mr.V.Shanmughasundar, GA -(for R1-5)  
Mr.M.K.Subramanian  
Spl. Govt. Pleader for R6  
Mrs. Rita Chandrasekaran for R7

O R D E R

(Made by The Hon'ble The Chief Justice)

Learned counsel for the seventh respondent-Pollution Control Board states that the Members of the Petitioner seek to have prawn cultivation on the basis that the subsoil water of land in question post tsunami has turned saline and is incapable of agricultural operations. She submits that they have to in any case obtain consent from the seventh respondent and merely submitting an application to the fifth respondent would not suffice.

2. The Members of the petitioner are granted fifteen days' time to apply for permission to the seventh respondent. Thereafter, the matter would proceed in accordance with law and the sustainability of the activity of prawn culture would, in turn, depend on the final decision of the seventh respondent.

3. The writ petition accordingly stands closed. No costs.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ATR

Copies to;

1. The District Collector  
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77-A South Avenue Road  
Ambattur Industrial Estate  
Ambattur Taluk, Chennai-600058  
Thiruvallur District.

+2ccs to Mr.T.S. Rajamohan, Advocate, S.R.No.52748  
+1cc to the Special Government Pleader (Forest) Advocate,  
S.R.No.52805  
+1cc to the Government Pleader, S.R.No.52875

GR(CO)  
EU(06/10/2015)

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