

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.36906 of 2015

1. V.Muniraj
2. V.Ramesh
3. B.Nagaraj
4. M.Narayanappa
5. K.Narayanappa
6. Venkataramappa
7. A.Krishnappa
8. A.Jagadeesh
9. V.Lakshmanan
10. V.Manjunath
11. C.Nagaraj
12. V.Govindappa ... Petitioners

Vs.

1. The District Collector, Krishnagiri,
Krishnagiri District.
2. The Thasildar, Hosur, Krishnagiri District.
3. The Village Administrative Officer,
Badathepally Village,
Hosur Taluk, Krishnagiri District.
4. The Health Inspector,
Hosur,
Hosur Taluk,
Krishnagiri District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to forbear the respondents 2 to 4 from in any way interfering with the petitioners' right to carry on fish farming in their patta land situated in Kannimangalam village, Hosur Taluk, Krishnagiri District comprised in S.Nos.30/1, 30/2, 31, 43/A and 41/A in Patta No.440 belonged to the 1st petitioner, S.Nos.180/2BA in Patta No.204 belonged to 2nd petitioner, S. No.37 belonged to 3rd petitioner, S. Nos. 38/3A, 38/3B, 38/3C, 38/3D and 37/3 belonged to 4th petitioner, S. No.83/1A

in Patta No.24 belonged to 5th petitioner, S. Nos. 115/2, 2/2 and 10/4 belonged to 6th petitioner, S. No. 99/3 belonged to 7th petitioner, S. Nos. 183/1 and 184/1 belonged to 8th petitioner, S.Nos.10/5 10/7 and 15/13 in Patta No.127 belonged to 9th petitioner, S.Nos.161/3A in Patta No.85, belonged to 10th petitioner, S.Nos.40/3B, 29/3A, 41/1B, 41/1A in Patta No.398 belonged to 11th petitioner and S.No.2/2 and 2/3 in Patta No.127 belonged to 12th petitioner in pursuance to petitioners' Monday Petition filed before 1st respondent on 8.6.2015.

For Petitioner .. Mr.Durai Gunasekaran
For Respondents .. Mr.A.Kumar,
Special Government Pleader

ORDER

This Writ Petition is filed by the petitioners seeking a Writ of Mandamus to forbear the respondents 2 to 4 from in any way interfering with the petitioners' right to carry on fish farming in their patta land situated in Kannimangalam village, Hosur Taluk, Krishnagiri District comprised in S.Nos.30/1, 30/2, 31, 43/A and 41/A in Patta No.440 belonged to the 1st petitioner, S.Nos.180/2BA in Patta No.204 belonged to 2nd petitioner, S. No.37 belonged to 3rd petitioner, S. Nos. 38/3A, 38/3B, 38/3C, 38/3D and 37/3 belonged to 4th petitioner, S. No.83/1A in Patta No.24 belonged to 5th petitioner, S. Nos. 115/2, 2/2 and 10/4 belonged to 6th petitioner, S. No. 99/3 belonged to 7th petitioner, S. Nos. 183/1 and 184/1 belonged to 8th petitioner, S.Nos.10/5 10/7 and 15/13 in Patta No.127 belonged to 9th petitioner, S.Nos.161/3A in Patta No.85, belonged to 10th petitioner, S.Nos.40/3B, 29/3A, 41/1B, 41/1A in Patta No.398 belonged to 11th petitioner and S.No.2/2 and 2/3 in Patta No.127 belonged to 12th petitioner in pursuance to petitioners' Monday Petition filed before 1st respondent on 8.6.2015.

2. It is the specific case of the petitioners that the petitioners have been rearing fish by creating Fish Farms in their respective patta lands situated in the above said Survey Numbers in Kannimangalam Village, Hosur Taluk, Krishnagiri District and decided to lease out the said Fish Farms to third parties, which was objected to by the Revenue officials, and hence, they made representations dated 08.06.2015 to the first respondent-District Collector for taking action against the second respondent-Tahsildar and third respondent-Village Administrative Officer so as to not to interfere with the rights of the petitioners in their respective Fish Farms, and since no action had been taken on the said representations, the present Writ Petitions are filed. Therefore, without going into the merits of the case, this Writ Petition is disposed of, with a direction to the first respondent-District Collector to pass

orders on the above said representations, on merits and in accordance with law, after giving an opportunity of hearing to the petitioners and any aggrieved parties, more particularly, the second and third respondents, within a period of six weeks from the date of receipt of a copy of this order or within a period of six weeks from the date of production of a copy of this order by the petitioners, who shall enclose a copy of the above said representations. No costs.

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s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Copy to

1. The District Collector, Krishnagiri, Krishnagiri District.
 2. The Thasildar, Hosur, Krishnagiri District.
 3. The Village Administrative Officer,
Badathepally Village,
Hosur Taluk, Krishnagiri District.
 4. The Health Inspector,
Hosur, Hosur Taluk,
Krishnagiri District.
- + 1 cc to Mr.Durai Gunasekaran, Advocate SR 62602
- + 1 cc to Govt.Pleader SR 62952

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