

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.8519 of 2015 and M.P.No.1 of 2015

1.Venkatappa
2.Jayanthiammal
3.Pasuvaraj
4.Govindappa
5.Ramanna

... Petitioners

vs.

1. The Assistant Director of Fisheries,
(Inland Fisheries)
Kaliyammann Koil Street, Near Uzhavar Santhai
Krishnagiri

2.President
FMR-6, Denkanikottai Fishermen
Co-operative Society,
Denkanikottai,
Krishnagiri District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of Writ of Mandamus directing the 1st respondent to pass orders on the representation of the petitioners dated 12.02.2015 by directing the 2nd respondent not to disturb the fishing of the petitioners and not to permit third parties for fishing in the Akka-thangai lake, situated under the jurisdiction of the 2nd respondent.

For Petitioners: Mr.S.Doraisamy

For Respondents: Mr.D.Suriya Narayanan, for R1
Government advocate
Mr.Bala Ramesh for R2
Government advocate

O R D E R

Heard Mr.S.Doraisamy, learned counsel appearing for the petitioners and Mr.D.Suriya Narayanan, learned Government advocate for 1st respondent and Mr.Bala Ramesh, learned Government advocate

for 2nd respondent and perused the materials placed on record. With the consent on either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2.The petitioners are the members of the 2nd respondent/Corporation Society, who were said to have been granted right to fish in a particular lake, namely Akka-thangai lake.

3. According to the petitioners, some 3rd parties are entering into the lake and engaging in fishing operation, when the petitioners through the 2nd respondent/Society has invested in the purchase of fish seedlings and are awaiting to harvest the same. In this regard a representation is pending before the 1st respondent.

4. The learned Government Advocate appearing for the respondents submitted that it is for the 2nd respondent/Society to take into consideration the welfare of its members.

5. In the light of the above facts, there shall be a direction to the 1st respondent to consider the petitioners representation dated 12.02.2015, call for the report from the 2nd respondent/Society and thereafter, proceed to pass orders on merits, after hearing all the parties, who are likely to be aggrieved including the petitioners. The said direction shall be complied with within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(R)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Assistant Director of Fisheries,
(Inland Fisheries)
Kalliamman Koil Street, Near Uzhavar Santhai
Krishnagiri

2.President, FMR-6, Denkanikottai Fishermen
Co-operative Societey, Denkanikottai,
Krishnagiri District

+ 1 cc to Mr.s.Doraisamy, Advocate SR.16886

+ 1 cc Government Pleader Sr.17002

sk(CO)

EU 10.04.2015

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