



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Writ Petition (MD)No.15344 of 2015

K.Ilangovan

... Petitioner

Vs.

1.The Director of Fisheries,
Inland Fisheries,
DMS Compound,
Teynampet, Chennai.

2.The Assistant Director of Fisheries,
Inland Fisheries,
Pechiyammanpadithrai,
Madurai.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or any other appropriate Writ or Order of Direction in the nature of Writ direct the 1st and 2nd Respondent to conduct the public auction for Kannakankulam, Udayarkulam, Chinnaudayarkulam tanks in respect of this fasli year 2015-2016.

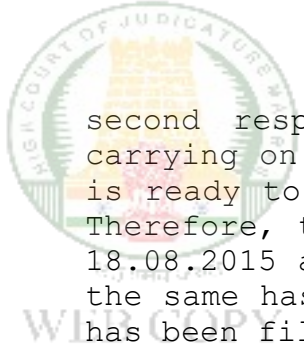
For Petitioner : Mr.N.Moihideen Basha
For Respondent : Mr.K.Guru
Addl.Govt.Pleader

ORDER

This Writ petition has been filed praying for issuance of a Writ of Mandamus directing the Respondents 1 and 2 to conduct public auction for Kannakankulam, Udayarkulam, Chinnaudayarkulam Tanks in respect of fasli year 2015-2016.

2. Mr.K.Guru, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

3. The case of the petitioner is that the second respondent is conducting auction for the past 20 years, for granting fishery rights in respect of the Tanks mentioned above. The petitioner is the successful bidder in the auction conducted from the year 1995 to 2013. The second respondent conducted auction for the year 2014-2015 in respect of the said three Tanks and fishery right was given to the local fishermen cooperative societies till 30.06.2015. But the said Society does not conduct any fishing activity and now, the said period had expired. The



second respondent without conducting auction for the year 2015-2016, carrying on fishing activities with the help of Societies. The petitioner is ready to pay bid amount, more than the amount fixed in the last year. Therefore, the petitioner has given representations to the respondents on 18.08.2015 and 19.08.2015, to conduct auction for the year 2015-2016, and the same has not been considered so far. Hence, the present writ petition has been filed for the relief sought for therein.

4. Though the petitioner has sought for the relief as stated above, such relief cannot be granted. Instead, this Court directs the second respondent to consider the petitioner's representation dated 18.08.2015, after affording opportunity to all the necessary parties if any, and pass appropriate orders on merits and in accordance with law, within a period four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

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To

1. The Director of Fisheries, Inland Fisheries, DMS Compound, Teynampet, Chennai.

2. The Assistant Director of Fisheries, Inland Fisheries, Pechiyammanpadithrai, Madurai.

+one cc to Mr. N. Moihideen Basha, Advocate in SR.No. 49128

+one cc to The Special Government Pleader, SR.No. 49544

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CSL/AN-MP/SAR J/09.09.2015
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