



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2015

CORAM :

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THE HONOURABLE MR.JUSTICE R.MAHADEVANWrit Petition (MD) Nos.4030, 5204 and 9255 of 2015

R.K.Raja ... Petitioner in W.P(MD)No.4030 of 2015
K.Ramadoss ... Petitioner in W.P(MD)No.5204 of 2015

Madurai Taluk Fisherman Co.Operative Society,
(South) A2407,
represented by its President,
P.Jeyaraman,
A-43, Bypass Road,
Avaniyapuram,
Madurai 12 ... Petitioner in W.P(MD)No.9255 of 2015

Vs.

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

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

3.The President,
Inland Fisheries Co-operative Society,
South Taluk,
Madurai District. ... Respondents in W.P.Nos.4030 and 5204 of
2015

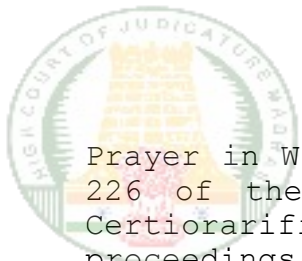
1.The District Collector
Collector,
Madurai District.

2.The Assistant Director of Fisheries,
O/o.The Assistant Director of Fisheries,
Fisheries Department,
Petchiamman Padithurai,
Madurai -1.

3.The Tahsildar,
Madurai South Taluk Office,
Madurai South,
Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>

4.R.K.Raja
5.K.Ramadoss ... Respondents in W.P.No.9255/2015



Prayer in W.P(MD)Nos.4030 and 5204 of 2015: Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 2nd respondent made in Na.Ka.No.985/E/14-2, dated 11.03.2015 and quash the same and consequently direct the 1st and 2nd respondents to conduct the public auction for Viradhanoor Tank.

Prayer in W.P(MD)No.9255 of 2015: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.A2/3550/2015, dated 02.06.2015 on the file of the respondent No.3 and quash the same as illegal and consequently to direct the respondents to extent the fishing rights of the petitioner for a period of 1 year in Viradhanoor Tank, Viradhanoor, Madurai District within the time stipulated by this Court.

For Petitioners : Mr.J.M.Abdul Rahman,
(In W.P.Nos.4030 and 5204/2015)

For Petitioner : Mr.T.Lajapathi Roy
(In W.P(MD)No.9255 of 2015)

For 3rd Respondent : Mr.T.Lajapathi Roy
(In W.P(MD)No.4030 of 2015)

For Respondents : Mr.S.Sadeeshkumar, AGP
(1-3 in W.P(MD)No.9255/2015,
1&2 in W.P(MD)No.4030/2015
1&2 in W.P(MD)No.5204/2015)

For Respondents 4&5 : No Appearance
(In W.P(MD)No.9255 of 2015)

COMMON ORDER

Since the issue involved is common in all the writ petitions, they are taken up together and disposed of by a common order.

2.Challenging the order passed by the second respondent in Na.Ka.No.985/E/14-2, dated 11.03.2015, W.P(MD)Nos.4030 and 5204 of 2015 have been filed.

3.W.P(MD)No.9255 of 2015 has been filed seeking to quash the order passed by the third respondent dated 02.06.2015 and consequently direct the respondents to extent the fishing rights of the petitioner for a period of one year in Viradhanoor Tank, Viradhanoor, Madurai District.

4.When the matter came up for hearing, learned counsel for the petitioners submitted that for fishing rights in the respective kanmois, the impugned order dated 11.03.2015 came to be passed for the period upto 30.06.2015 and since the period itself is over, W.P.(MD)Nos.4030 and 5204 of 2015 have become infructuous. He has also made an endorsement to that effect.

5.In view of the same, W.P.(MD)Nos.4030 and 5204 of 2015 are dismissed as infructuous.

6.So far as W.P(MD)No.9255 of 2015 is concerned, the parties



mutually agreed to go for a public auction as per the rules as well as the relevant Government Orders.

7. In such view of the matter, the writ petition is disposed of directing the official respondents to go for a public auction following the rules as well as the respective Government Orders and it is always open to the petitioners as well as the interested parties to participate in the auction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1. The Director of Fisheries,
Inland Fisheries,
DMS Compound,
Teynampet,
Chennai.
2. The Assistant Director of Fisheries,
Inland Fisheries,
Pechiyammanpadithurai,
Madurai.
3. The President,
Inland Fisheries Co-Operative Society,
South Taluk,
Madurai District.
4. The District Collector
Collector,
Madurai District.
5. The Assistant Director of Fisheries,
O/o. The Assistant Director of Fisheries,
Fisheries Department,
Petchiamman Padithurai,
Madurai -1.
6. The Tahsildar,
Madurai South Taluk Office,
Madurai South,
Madurai District.

+two cc to Mr.T.Lajapathi Roy, Advocate in SR.No.41908/15&41909/15

+one cc to M/s. N.Mohideen Basha, Advocate in SR.No.41787/15

+one cc to The Special Government Pleader in SR.No.41985/15

Writ Petition (MD) Nos.4030, 5204
and 9255 of 2015
27.07.2015

CSL/11.08.2015

3P/11C