

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.20213 of 2016

K.Muthusamy

... Petitioner

Vs.

- 1.The Commissioner of Fisheries,
Admin Building, Teynampet,
Chennai - 600 006.
- 2.The Deputy Director of Fisheries (Regional),
Dam Road, Bhavanisagar, Erode District.
- 3.The Assistant Director of Fisheries,
Inland Fisheries,
Erode.
- 4.The Executive Engineer,
Public Works Department,
Erode, Erode District.
- 5.The President,
Sundakkampalayam,
Fishermen Co-operative Society,
Sundakkampalayam,
Sathyamangalam Taluk,
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the respondents 1 to 3 to process the application/representation dated 25.12.2015 submitted by the petitioner seeking registration of their newly formed society viz., "Kavilipalayam Fishermen Co-operative Society" enable the society to get fishing right in the Kavilipalayam Periya Eri comprised in Survey No.93/1 situated at Kavilipalayam Village, Sathyamangalam Taluk, Erode District within a reasonable time to be fixed by this Court.

For Petitioner : Mr.A.V.Raja

For Respondents: Mr.R.A.S.Senthivel

Additional Government Pleader
(R1 to R4)

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims to be a resident of Kavilipalayam Village, Sathyamangalam Taluk, Erode District and in the said village, a lake is there and it is used by the village people for catching fish. According to the petitioner, for getting fishery rights the Co-operative Societies, consisting of Fishermen, have to be formed then only they are entitled to submit tender in the event of fishing rights being auctioned. Since no Society of Fishermen pertaining to the village, in its petitioner is residing, has been formed, the village took a decision to form a Co-operative Society and accordingly, submitted an application dated 25.12.2015 with all necessary enclosures to the third respondent, who in turn forwarded the same to the second respondent and since no orders have been passed on the application submitted by the petitioner for registration of the Fishermen Co-operative Society, came forward to file this writ petition.

3. Heard the submission of the learned counsel appearing for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner prays for the larger relief, this Court, in the lights of the facts and circumstances and without going into the merits of the same, directs the second respondent to consider the application submitted by the petitioner for registration of Fishermen Co-operative Society in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner of Fisheries,
Admin Building, Teynampet,
Chennai - 600 006.
- 2.The Deputy Director of Fisheries (Regional),
Dam Road, Bhavanisagar, Erode District.
- 3.The Assistant Director of Fisheries,
Inland Fisheries,
Erode.
- 4.The Executive Engineer,
Public Works Department,
Erode, Erode District.

+lcc to M/S.A.V.Raja, Advocate Sr.32571
+lcc to the Government Pleader sr.33140

Writ Petition No.20213 of 2016

rp[co]
srg 28/06/2016



WEB COPY