

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.1.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.255 OF 2016

FMR.21, Morappur Fishermen
Cooperative Society, Morappur
Post, Harur Taluk, Dharmapuri
District rep.by its elected
President S.Rangan

...Petitioner

Vs

1.The Commissioner, Panchayat
Union, Pappireddipatti,
Dharmapuri District.

2.The Assistant Director of
Fisheries (Inland Fisheries),
Avvai Nagar, Dharmapuri-5.

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
respondents to consider the representation of the petitioner
dated 4.12.2015 and to reduce the lease amount for the year 2015-
16 and 2016-17 granted as per lease order in Na.
Ka.No.403/2012/A3 dated 6.11.2012 on the file of the first
respondent after deducting the lease amount paid by the
petitioner on 18.12.2015.

For Petitioner : Mr.S.Doraisamy

For Respondent-1 : Mr.Era Premnath

For Respondent-2 : Mr.R.Rajeswaran, SGP

ORDER

Mr.Era Premnath, learned counsel takes notice for the first
respondent. Mr.R.Rajeswaran, learned Special Government Pleader
takes notice for the second respondent. By consent, the writ
petition itself is taken up for final disposal.

2. The petitioner, which is a cooperative society, seeks a direction to the respondents to consider their representation dated 4.12.2015. In the said representation, the petitioner sought remission of lease amount for various years on the ground of lack of rainfall. The petitioner would submit that their members are poor fish farmers and on account of drought, they were unable to enjoy the fruits and that therefore, the Government should grant remission.

3. The learned counsel for the first respondent submits that if this Court is unable to go into the merits, then, a counter is essential.

4. However, at this stage of the matter, this Court is not inclined to go into the merits of the contention raised by the petitioner. It would be proper for the first respondent to consider the representation of the petitioner on 4.12.2015.

5. In the light of the above, the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 4.12.2015 on merits and pass a reasoned order in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

RS
To

1.The Commissioner, Panchayat Union,
Pappireddipatti, Dharmapuri District.

2.The Assistant Director of Fisheries
(Inland Fisheries), Avvai Nagar,
Dharmapuri-5.

+ 1 cc to M/s.S. Doraisamy, Advocate Sr.742
+ 1 cc to Government Pleader Sr.997

WP.No.255 of 2016

SKV(CO)
EU 19.1.16