

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27623 of 2016

B.Miniammal

... Petitioner

Vs.

- 1 The Executive Engineer,  
Public Works Department,  
Water Resources Organization,  
Sarabanga Basin Division,  
Namakkal,  
Namakkal District.
- 2 The Assistant Executive Engineer,  
Public Works Department,  
Water Resources Organization,  
Sarabanga Basin Division,  
Rasipuram,  
Namakkal District.
- 3 The Assistant Director,  
Fisheries Department,  
Mettur Dam,  
Salem District.
- 4 FMR 13, Pallipalayam Avarankadu  
Fishermen Cooperative Society rep.  
By its President P.K.Raja  
S/o.late.Gurunatha Bakthar,  
Pallipalayam,  
Tiruchengode Taluk,  
Namakkal District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 29.06.2016 for renewal of the petitioner fishing right in Emapalli Eri, Tiruchengode Taluk, Namakkal District for the period between 01.07.2016 and 30.06.2018.

For Petitioner: Mr.N.Manokaran

For Respondents: Mr.R.A.S.Senthilvel for R1 and R2  
Additional Government Pleader  
Mr.L.P.Shanmugasundaram for R3  
Special Government Pleader  
Ms.T.Girija for R4  
Government Advocate

O R D E R

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

2.The petitioner claims that she is the member of FMR 13, Pallipalayam Avarankadu Fishermen Cooperative Society and according to her, there are 146 members in the said society and they are enjoying the fishing right for several years. The lease was granted in favour of the said society in fasli 1425 for the corresponding period between 01.07.2015 and 30.06.2016 and after expiry of the period, the respondents have to convene a meeting to take decision for renewal/ lease of fishing rights and since, such a decision has not been taken, the petitioner has submitted a representation dated 29.06.2016, praying for lease/ fishing right and though, it was received and acknowledged, no orders have been passed by the concerned respondent and therefore, came forward to file this writ petition.

3.Heard the submissions of Mr.N.Manokaran, learned counsel appearing for the petitioner, Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 and 2, Mr.L.P.Shanmugasundaram, learned Special Government Pleader who accepts notice on behalf of the third respondent and Ms.T.Girija, learned Government Advocate who accepts notice on behalf of the fourth respondent.

4.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated 29.06.2016, in accordance with law and

after putting on notice, the persons concerned, shall pass orders, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned.

5.The writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1 The Executive Engineer,  
Public Works Department,  
Water Resources Organization,  
Sarabanga Basin Division,  
Namakkal,  
Namakkal District.
- 2 The Assistant Executive Engineer,  
Public Works Department,  
Water Resources Organization,  
Sarabanga Basin Division,  
Rasipuram,  
Namakkal District.
- 3 The Assistant Director,  
Fisheries Department,  
Mettur Dam,  
Salem District.

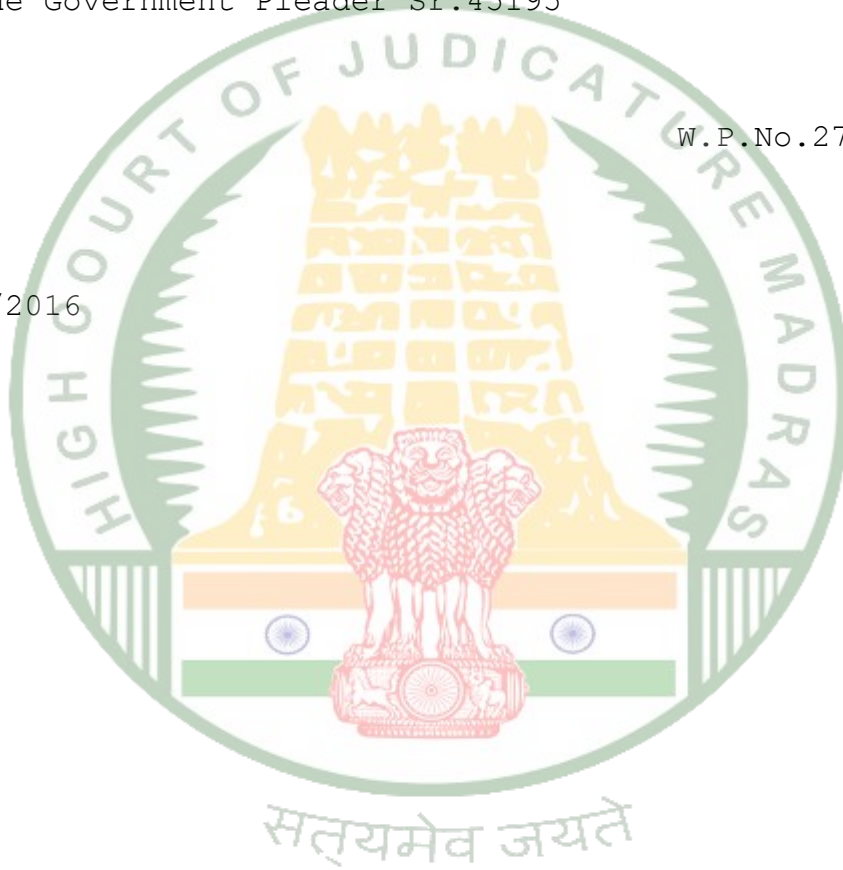
WEB COPY

4 FMR 13, Pallipalayam Avarankadu  
Fishermen Cooperative Society rep.  
By its President P.K.Raja  
S/o.late.Gurunatha Bakthar,  
Pallipalayam,  
Tiruchengode Taluk,  
Namakkal District.

+1cc to M/S.T.Girija, Advocate Sr.45743  
+1cc to M/S.N.Manokaran, Advocate Sr.45259  
+1cc to the Government Pleader Sr.45195

W.P.No.27623 of 2016

ad[co]  
srg 29/08/2016



WEB COPY