



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Cont.P(MD).No.1344 of 2015 in M.P(MD).No.1 of 2015 in
W.P.(MD) No.11027 of 2015 and W.P.(MD) No.11027 of 2015 and
M.P(MD).Nos.1 and 2 of 2015

CONT P(MD). 1344/ 2015:

Therasapuram Maravallam Parvallai

Meenavarnalla Sangam,

Rep by its Secretary,

M. Rajendran, S/o. Mukkan,

5/287, Mettupatti,

Tuticorin, Tuticorin District

... Petitioner /Petitioner
in CONT P(MD). 1344/ 2015

vs

1 Beela Rajesh IAS,

The Commissioner, Department of Fisheries,

Administrative Office Building,

Theyanampettai, Chennai-600 006.

2 Beela Rajesh IAS, The Director,

Department of Fisheries,

Administrative Office Building,

Theyampettai, Chennai 600 006.

3 Amal Xavier,

The Joint Director (Regional) Department of Fisheries,

Tuticorin, Tuticorin District.

4 Kasinathapandian,

The deputy director, Department of Fisheries,

Ramanathapuram Region,

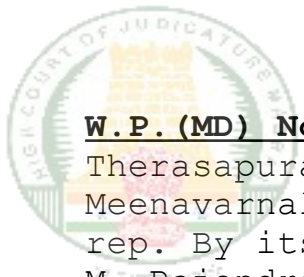
Ramanathapuram District.

5 C. Venkadachalam,

The Assistant Director,

Department of Fisheries(South),

Ramanathapuram-District.

**W.P. (MD) No.11027 of 2015:**

Therasapuram Maravallam Parvallai,
Meenavarnalla Sangam,
rep. By its Secretary,
M. Rajendran

: Petitioner

in W.P(MD).No.11027 of 2015

WEB COPY

Vs.

1. The Commissioner,
Department of Fisheries,
Administrative Office of the Building,
Theynampettai, Chennai - 600 006

2. The Director, Department of Fisheries,
Administrative Office of the Building,
Theynampettai, Chennai - 600 006

3. The Joint Director (Regional),
Department of Fisheries,
Tuticorin, Tuticorin District.

4. The Deputy Director,
Department of Fisheries,
Ramanathapuram Region,
Ramanathapuram District.

5. The Assistant Director,
Department of Fisheries (South),
Ramanathapuram,
Ramanathapuram District.

: Respondents

in W.P(MD).No.11027 of 2015

Prayer in Cont.P.(MD).No.1344 of 2015 : The Contempt Pettition is filed under Section 11 of the Contempt of Courts Act, 1971 against the respondents herein for their wilful disobedience to the interim order passed by this Court in M.P.No.1 of 2015 in W.P.No.11027 of 2015 dated 04.08.2015 and punish him accordingly.

Prayer in W.P(MD).No.11027 of 2015 : This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus forbearing the respondents herein from in any manner interfering with the members of the petitioner Sangam from fishing by using Paravalai method in consonance with the order passed by the third respondent in Na.Ka.No.892/A2/2002 dated 16.04.2004.

For Petitioner : Mr. S. Chellapandian
in both petitions

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

For Respondents : Mr. Muthu Kannan
Government Advocate
in both petitions

**ORDER**

The petitioner seeks for Mandamus forbearing the respondents herein from in any manner interfering with the members of the petitioner Sangam from fishing by using "Paravalai" method in consonance with the order passed by the third respondent in Na.Ka.No.892/A2/2002 dated 16.04.2004.

2. The learned counsel appearing for the petitioner submitted that even though the petitioner has filed the above Writ Petition, with such prayer, it would satisfy the petitioner Sangam, if the respondents are directed to return the purse senie net, which according to the petitioner is Paravalai, impounded by the respondent resulting in passing an order on 26.05.2015. It is further submitted that after accepting the guilt and paying the fine amount, the respondents have returned only the Boat and not the impounded Purse senine net. Therefore, he contended that the respondents may be directed to return the said net since the members of the petitioner's Sangam will give an undertaking that they will not use the said net in future for fishing.

3. In my considered view, these are all the matters which have to be considered by the respondents, more particularly, fifth respondent, being an adjudicating officer, before whom the petitioners should make proper representation seeking for return of the said net.

4. Therefore, the Writ Petition is disposed of with liberty to the petitioner to make a fresh representation to the fifth respondent for return of the said purse senie net, which according to the petitioner is Paravalai, by specifically giving an undertaking that the members of the petitioner Sangam will not use the said net in future. On receiving such representation from the petitioner, the fifth respondent shall consider the same and pass orders, also by taking note of the undertaking given by the petitioner as stated supra, within a period of four weeks from the date of receipt of such representation. No costs. Consequently, connected Miscellaneous Petitions are closed.

5. In view of the order passed in the Writ Petition, the Contempt Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar



1. The Commissioner, Department of Fisheries,
Administrative Office of the Building,
Theynampettai, Chennai - 600 006
2. The Director, Department of Fisheries,
Administrative Office of the Building,
Theynampettai, Chennai - 600 006
3. The Joint Director (Regional), Department of Fisheries,
Tuticorin, Tuticorin District.
4. The Deputy Director, Department of Fisheries,
Ramanathapuram Region, Ramanathapuram District.
5. The Assistant Director, Department of Fisheries (South),
Ramanathapuram, Ramanathapuram District.
- 6 Beela Rajesh IAS, The Commissioner, Department of Fisheries,
Administrative Office Building, Theynampettai, Chennai-600 006.
- 7 Beela Rajesh IAS, The Director, Department of Fisheries,
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Department of Fisheries (South), Ramanathapuram-District.

Trp

CSL/GSV-AN/18.02.2016/4P/11C

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