



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2016

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THE HONOURABLE **MR. JUSTICE B. RAJENDRAN**

W.P(MD).No.18426 of 2015

and

M.P. (MD).Nos 1,2 & 3 of 2015

R.Sivabalan

...Petitioner

Vs

1.The Director of Fisheries,
Administrative Office,
Thenampet,
Chennai- 600 006.

2.The District Collector,
Madurai District,
Madurai.

3.The Assistant Director Fisheries,
O/o. The Assistant Director
of Fisheries (Inland Fisheries)
Madurai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus, calling for records relating to the impugned order issued by the 3rd respondent in his proceedings in Na.Ka.No.829/2/2015, dated 02.09.2015 and quash the same as illegal, in so far as it relates to Vaagaikulam Tank, Kuruthur Village, Madurai East, is concerned and consequentially to direct the respondents to calculate/re-fix the period of lease from 01.06.2013 onwards.

For petitioner : Mr.M.D.Imran

For M/s.Ajmal Associates

For Respondents : Mr.A.Muthukaruppan

Government Advocate

O R D E R

After some elaborate arguments, the petitioner recalls the fact that he may be at least granted six weeks time to vacate, so



that he could harvest the existing fish in the pond.

2. The learned Government Advocate appearing for the respondents brought to the notice of this Court that the petitioner's application dated 14.03.2013, requesting to extend the lease period up to 30.06.2016, has already been rejected by an order dated 26.03.2015. As on date, he has not challenged that order. Further in the agreement itself, the petitioner has categorically admitted it would be a period commencing from July, 2012 to June, 2015. Further, one 'fish lease year' was granted to the petitioner. Therefore nothing survives in the writ petition.

3. Heard both parties and perused the materials available on record.

4. Since the petitioner is now seeking only time to vacate, after harvesting the fish lings. Suffice to state that the petitioner is granted time only up to 31.03.2016, to take all the harvest and vacate the possession. The petitioner also undertakes before this Court, to vacate and hand over the possession on 31.03.2016 and the authorities will take possession from 01.04.2016 onwards. The said undertaking is recorded. If the petitioner failed to vacate, it will amount to contempt of Court.

5. With the above direction this Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Director of Fisheries,

Administrative Office, Thenampet, Chennai- 600 006.

2.The District Collector, Madurai District, Madurai.

3.The Assistant Director Fisheries, O/o. The Assistant Director of Fisheries (Inland Fisheries) Madurai.

+one cc to The Special Government Pleader in SR.No. 13229

+one cc to M/s.Ajmal Associates, Advocate in SR.No.13191

PJL

CSL/NGM-SS/28.03.2016 :2P/6C

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and

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