



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2016

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P. (MD) No.23378 of 2015

and

M.P. (MD) .No.1 of 2015

M.Paramasivam

... Petitioner

Vs.

1.The Executive Engineer,
Public Works Department,
WRO, Vaippar Basin Sub Division,
Virudhunagar,
Virudhunagar District.

2.The Assistant Executive Engineer,
Public Works Department,
WRO, Irrigation Section-I,
Rajapalayam,
Virudhunagar District.

3.The Assistant Engineer,
Vaippar Basin Sub Division,
Virudhunagar,
Virudhunagar District.

... Respondents

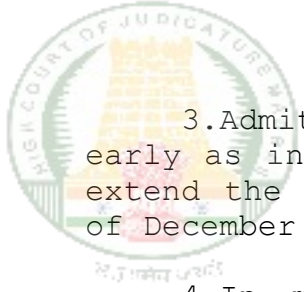
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to extend the lease of fishery rights or Iyankollamkondan Tank situated at in Iyankollamkondan Village, Virudhunagar District in accordance with G.O.Ms.No.332, Animal Husbandry and Fisheries (FS - IV) Department dated 17.11.1993 within the stipulated period and for other consequential orders and quash the same.

For Petitioner : Mr.K.Seemaraj
For Respondents : Mr.A.Muthukaruppan
Addl. Government Pleader

O R D E R

This writ petition is filed seeking for a mandamus directing the third respondent to extend the lease of fishery rights of Iyankollamkondan Tank situated at in Iyankollamkondan Village, Virudhunagar District in accordance with G.O.Ms.No.332, Animal Husbandry and Fisheries (FS - IV) Department dated 17.11.1993.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



3. Admittedly, the lease given in favour of the petitioner expired as early as in the year 2012 and the petitioner has not taken any steps to extend the lease. Now, by filing the present writ petition in the month of December 2015, the petitioner seeks the relief as stated supra.

4. In my considered view, such relief cannot be granted to the petitioner, in view of the fact that the lease period had expired in the year 2012 itself. Therefore, the petitioner shall take part in the fresh auction to be conducted by the respondents in respect of the subject matter of tank. Therefore, the writ petition is dismissed. However liberty is given to the petitioner to take part in the auction proceedings, if any to be conducted by the respondents in respect of fishery rights of Iyankollamkondan Tank. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Crl.side)

/True copy/

Sub Assistant Registrar

To

1. The Executive Engineer,
Public Works Department,
WRO, Vaippar Basin Sub Division,
Virudhunagar, Virudhunagar District.

2. The Assistant Executive Engineer,
Public Works Department,
WRO, Irrigation Section-I,
Rajapalayam, Virudhunagar District.

3. The Assistant Engineer,
Vaippar Basin Sub Division,
Virudhunagar, Virudhunagar District.

+1 CC to Mr.K.Seemaraj, Advocate, SR No.1165

+1 CC to the Special Government Pleader, SR No.1041

W.P. (MD) No.23378 of 2015
06.01.2016

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