

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 19.07.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO
AND
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P(MD)No.11707 of 2016**and****W.M.P(MD)No.8986 of 2016**

M.Vallinayagam

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Director of Fisheries,
DMS Campus,
Teyanampet,
Chennai - 06.

3.The Assistant Director of Fisheries,
Near Palayamkottai Bus Stand,
Palayamkottai,
Tirunelveli District.

4.The Executive Engineer,
Public Works Department,
Chittrar Basin Division,
Tenkasi, Kutralam,
Tirunelveli District.

5.The Assistant Executive Engineer,
Public Works Department,
Chittrar Basin Division,
Tenkasi, Kutralam,
Tirunelveli District.

6.R.Kottursamy

7.S.Ayyadurai

... Respondents



herein to conduct open public auction with vide advertisement in respect of Fisheries rights relating to the Public Works Department tanks situate within the limits of Karuppanathi Anaipirivu, Kadayanallur Taluk, Tirunelveli District.

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For Petitioner : Mr.A.Saravanan

For Respondents : Mr.M.Govindan,
Special Government Pleader
for R.1 to R.5

Mr.M.Kumar for R.6 and R.7

ORDER

(Order of the Court was made by NOOTY.RAMAMOHANA RAO,J.)

The status report as directed by us on the previous occasion has been filed. It brings out that out of 24, the fishery rights for 19 tanks have been put to public auction and substantial amount of increase of revenue has been recorded in that respect. We, therefore, direct the respondents to put all those auction purchasers in possession of the tanks concerned, duly observing all other terms and conditions subject to which the auctions have been held for grant of fishery rights.

2. With regard to the remaining five tanks, the learned Counsel for the petitioner would submit that they are, in fact, larger tanks in extent and are capable of fetching much more income if public auctions are conducted, but, instead, for certain other reasons, by a nominal increase of 10% of the lease amount over the previous year's, fishery rights are conferred on the previous lessees/licensees. Since there was already an order passed by the concerned authority granting extension by a further period of one year, we preserve liberty to the petitioner to call in question the said exercise of extension of the lease in favour of those five existing lessees by instituting a separate and independent proceedings.

3. Accordingly, this writ petition is disposed of as above. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-
Assistant Registrar(W)

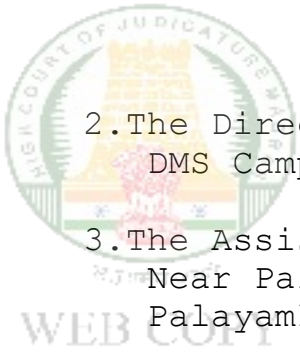
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Sub Assistant Registrar

To

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

1.The District Collector, Tirunelveli District, Tirunelveli.



2.The Director of Fisheries,
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Tenkasi, Kuttralam, Tirunelveli District.

5.The Assistant Executive Engineer,
Public Works Department,
Chittrar Basin Division, Tenkasi, Kuttralam,
Tirunelveli District.

+1 cc to M/s.M.Kumar, Advocate in SR.No.37844

+1 cc to The Special Government Pleader in SR.No. 38210

rsb

CSL/GSV-PM/28.07.2016 : 3p/8c

W.P (MD) No.11707 of 2016

and

W.M.P (MD) No.8986 of 2016

19.07.2016