

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.2153 of 2017

1.Nagai Sea Foods Catching Associations,
rep by its President M.Gubendran
No.3/12, Thonithurai Road,
Nagapattinam - 611 001.

2.T.Muruganandan

... Petitioners

Vs.

1.The Secretary to Government,
Ministry of Agriculture and Farmers Welfare,
Department of Animal Husbandry, Dairying
and Fisheries,
Government of India,
Kirishi Bhawan, Dr.Rajendra Prasad Road,
New Delhi - 110 001.

2.Secretary to Government,
Ministry of Environment, Forest and
Climate Change,
Government of India, Indira Paryavaran Bhavan,
Jorbahg Road, New Delhi - 110 023.

3.Zoological Survey of India (ZSI),
Prani Vigyan Bhawan,
M-Block, New Alipore, Kolkata - 700 053.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to consider and pass suitable orders on the petitioner's letter dated 19.08.2016 and representation dated 05.12.2016 taking note of the recommendations of the

Zoological Survey of India and of the Animal Committee after affording a personal hearing to the members of the petitioner Association within a stipulated time.

For Petitioners : Mr.Giridhar

For Respondent : Mr.Christopher Kishore, (ACGSC)

ORDER

The petitioners have filed the above Writ Petition to issue a writ of mandamus directing the 2nd respondent to consider the petitioner's letter dated 19.08.2016 and representation dated 05.12.2016 taking note of the recommendations of the Zoological Survey of India and of the Animal Committee, after affording personal hearing to the members of the petitioner Association within a time frame.

2.Heard the learned counsel appearing for the petitioners and the learned standing counsel for the respondents.

3.The learned counsel appearing for the respondents submitted that the request made by the petitioners in the representations dated 19.08.2016 and 05.12.2016 are against the rules and therefore, the relief sought for in the representations cannot be granted to the petitioners. However, the 2nd respondent has not passed any order on the request made by the petitioners so far.

4.The 2nd respondent could have disposed of the representations made by the petitioners by informing the stand taken in this Writ Petition. In these circumstances, I direct the 2nd respondent to consider the petitioner's letter dated 19.08.2016 and representation dated 05.12.2016 on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition is disposed of. No costs.

Index : No
Internet : Yes
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21.04.2017

To

- 1.The Secretary to Government,
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Department of Animal Husbandry, Dairying
and Fisheries,
Government of India,
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M.DURAISWAMY, J.

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