

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.11832 & 11833 of 2004

Muthu Fisheries (P) Ltd.,
rep. by its Chairman and Managing Director,
M.Sahul Hameed,
Post Box No.12, 151 &152, Kamarajar Road,
Kumbakonam, Tanjore District

.. Petitioner in both
the Writ Petitions

Vs.

1. The Deputy Director of Health Service,
Opposite to V.O.C. Ground,
Tirunelveli-627 002.
2. The Commissioner of Panchayat Union,
Radhapuram, Tirunelveli District. .. Respondents in both
the Writ Petitions

Writ Petition No.11832 of 2004 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records comprised in the proceedings of the first respondent Rc.No.8141/A3/2003, dated 25.01.2004 and quash the same.

Writ Petition No.11833 of 2004 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records comprised in the proceedings of the second respondent in No.A5/4933/2003, dated 29.01.2004 and No.A5/4399/2003, dated 02.03.2004 and 01.04.2004 and quash the same.

For Petitioner : Mr.M.Muthappan
For Respondents : Mr.R.Venkatesh
Government Advocate for R1
Mr.N.Sampath for R2

COMMON ORDER

When the Writ Petitions were taken up for hearing, it is represented by the learned counsel for the petitioner that he has informed the petitioner about the date of hearing of these Writ Petitions, but he has no response from the petitioner, but he however submitted that there was interim order passed by this Court staying the impugned orders, pursuant to which, the petitioner must have continued the fishery business. Learned Government Advocate appearing for the first respondent submitted that the licence with regard to the fishery business, was given for a specific period and that the period has already expired. Learned counsel for the petitioner also submitted that, de-hors, the cancellation of the licence vide impugned orders, the same had been stayed by this Court, and the licence for the subsequent period has not been granted. Moreover, in the counter affidavit filed by the first respondent, it is stated that extension of drying fishes beyond 2002 was cancelled because of public complaint. In view of the above submissions made on either side and taking into the account the said averment made in the counter, no further adjudication is required in these Writ Petitions, which are accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mm
To

1. The Deputy Director of Health Service,
Opposite to V.O.C. Ground,
Tirunelveli-627 002.

2. The Commissioner of Panchayat Union,
Radhapuram,
Tirunelveli District.

+2 ccs to Mr.M.Muthappan Advocate sr 71786 & 71787
+2 ccs to Mr.N.Sampath Advocate sr 71569 & 71570
+1 cc to the Government pleader sr 72121

W.P.Nos.11832 & 11833 of 2004

kgk(co)
aa03/11/2017