

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WRIT PETITION Nos.42717 to 42722 OF 2016
and W.M.P.Nos.36640 to 36649 of 2016

Mani ... Petitioner in W.P.No.42717/2016

Sadaiyandi .. Petitioner in W.P.No.42718/2016

Elumalai S/o.Kanniappan... Petitioner in W.P.No.42719/2016

Elumalai S/o.Kannan .. Petitioner in W.P.No.42720/2016

Elumalai S/o.Kullan .. Petitioner in W.P.No.42721/2016

Radhakrishnan .. Petitioner in W.P.No.42722/2016

Vs.

1.The Director,
The Tamil Nadu Fishing Department,
DMS Campus, Teynampet,
Chennai.

2.The Assistant Director,
The Tamil Nadu Fishing Department,
Nelaingakarai,
Kancheepuram District.

3.The District Collector,
Kancheepuram District,
Kancheepuram.

4.Fishing Inspector,
' Chengalpattu Region,
Kancheepuram District,

5.The Sub Inspector of Police,
Palur Police Station,
Kancheepuram District,

6.Ellappan,
President,
Venpakkam Domestic Fishing Co - Operative Society,
Venpakkam, Chengalpattu Taluk,
Kancheepuram District. Respondents in all W.Ps.

Prayer in W.P.No.42717/2016: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the fourth respondent in Na.Ka.No. Cooperative/2016 dated 22.06.2016 and quash the same and consequently directing the fourth respondent to allow the petitioner to catch the fish in Venpakkam lake situated at Venpakkam Village, Chengalpattu Taluk, Kancheepuram District.

For Petitioner :Mr.K.T.S.Sivakumar in all the WPs

For Respondents:Mr.S.Diwakar - for R1 & R5-in
all the WPs
Special Govt Pleader
Mr.S.Udayakumar- for R6-in
all the WPs

.....

C O M M O N O R D E R

Heard Mr.K.T.S.Sivakumar, learned Counsel appearing for the petitioners, Mr.S.Diwakar, learned Special Government Pleader appearing for the respondents 1 to 5, and Mr.S.Udayakumar, learned Counsel appearing for the sixth respondent.

2.These petitioners have come forward to challenge the impugned proceedings issued by the 4th respondent in Na.Ka.No.Cooperative/2016 dated 22.06.2016 and quash the same and consequently direct the 4th respondent to allow the petitioner for catching the fish in Venpakkam Lake situated at Venpakkam Village, Chengalpattu Taluk, Kancheepuram District.

3.When the matter is taken up for hearing, the learned counsel appearing for the petitioners has produced two communications of the Public Works Department dated 22.03.2017 and 05.04.2017 respectively, by which, the right to catch fish in Kuruvanmedu Tank is proposed to be let out by public auction.

4.In view of the same, this Court is of the view that nothing survives for adjudication. Whether the petitioners are members of the 6th respondent society or not, they can take part in the public auction. In so far as the impugned notice is concerned, it is only a show cause notice and therefore, it is

for the petitioners to work out their remedy in the manner known to Law.

5. Accordingly, these writ petitions stand closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

maya/nmm
To

- 1.The Director,
The Tamil Nadu Fishing Department,
DMS Campus, Teynampet,
Chennai.
- 2.The Assistant Director,
The Tamil Nadu Fishing Department,
Nelaingakarai,
Kancheepuram District.
- 3.The District Collector,
Kancheepuram District,
Kancheepuram.
- 4.Fishing Inspector,
Chengalpattu Region,
Kancheepuram District,
- 5.The Sub Inspector of Police,
Palur Police Station,
Kancheepuram District.

+1cc to Mr.K.T.S.Sivakumar,Advocate sr.23677

+2cc to Mr.S.udhayakumar,Advocate sr.23085

+1cc to Government Pleader sr.23552

W.P.Nos.42717 to 42722 OF 2016 and
W.M.P.Nos.36640 to 36649 of 2016

ev(co)
ss(24/4/2017)