



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.16807 of 2017

and

WMP (MD) .No.13409 of 2017

Esakki Duraichi

.. Petitioner

1.The Executive Officer,
Rayagiri Town Panchayat,
Tirunelveli District.

2.The District Collector,
Tirunelveli District.

3.The Secretary,
Animal Husbandry and Fisheries Department,
Government of Tamil Nadu,
Fort.St.George, Chennai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance a writ of Mandamus, directing the respondents to renew the petitioner's fishery lease of Melakarisakulam, Roayagiri as per G.O.Ms.No.332, Animal Husbandry and Fisheries, dated 17.11.1993 or in the alternative direct the respondent to refund a sum of Rs.1,21,766/- with 12% interest

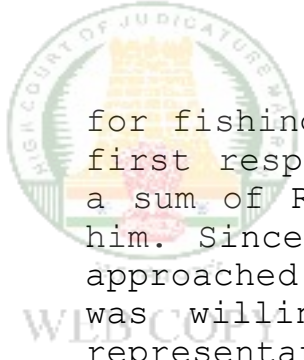
For Petitioner : Mr.T.S.R.Venkatramana

For Respondents : Mr.S.Kumar,
Additional Government Pleader

ORDER

This writ petition is filed seeking for issuance of a writ of Mandamus, directing the respondents to renew the petitioner's fishery lease of Melakarisakulam, Roayagiri as per G.O.Ms.No.332, Animal Husbandry and Fisheries, dated 17.11.1993 or in the alternative direct the respondent to refund a sum of Rs.1,21,766/- with 12% interest.

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The learned counsel for the petitioner submitted that the petitioner is a member of the Fish farming Co-operative Society from 1996. The petitioner was a successful bidder in the Auction



for fishing in respect of Melakarisalkulam Tank, conducted by the first respondent vide notification dated 04.11.2016 and deposited a sum of Rs.1,21,766/-, but the said tank was not handed over to him. Since the lease period is getting expired on 31.10.2017, he approached the first respondent for extending the lease period and was willing to pay 15% more, as per G.O.Ms.332 and sent a representation on 22.08.2017 to the first respondent. But, no action has been taken by the first respondent on his applications. Therefore, the petitioner is before this Court.

3.The learned Additional Government Pleader appearing for the respondents would submit that subsequent to the filing of the writ petition, the representation of the petitioner was considered and rejected by the first respondent by proceedings in NA.Ka.No.196/2017, dated 11.09.2017.

4.Recording the submission made by the learned Additional Government Pleader, the writ petition is dismissed as infructuous. No cost. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Executive Officer,
Rayagiri Town Panchayat,
Tirunelveli District.
- 2.The District Collector,
Tirunelveli District.
- 3.The Secretary,
Animal Husbandry and Fisheries Department,
Government of Tamil Nadu,
Fort.St.George, Chennai.

+One cc to The Special Government Pleader, SR.No.80907
+One cc to Mr.T.S.R.Venkatramana, Advocate, SR.No.80594

dsk
RL/6C/2P/KK/SAR1/10/10/2017

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ORDER MADE IN
W.P (MD) No.16807 of 2017

21.09.2017