

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24-08-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.26463 of 2011

1.K.C.Ramasamy Reddy
2.K.C.Adhinarayana Reddy
3.K.P.Radhakrishna Reddy
4.K.P.Ponnusamy Reddy
5.R.Saroja
6.K.J.Appasamy Reddy
7.K.N.Balachander
8.V.Manickam
9.V.Balaji Baskar
10.K.P.Sivashanmugam
11.P.Ravichandran
12.K.Ambi

... Petitioners

Vs.

1.The District Collector,
Vellore District.

2.The Tahsildar,
Arakkonam Taluk,
Vellore District.

3.The Block Development Officer,
Arakkonam Taluk,
Vellore District.

4.The Assistant Director of Panchayats,
Vellore Collectorate,
Erode.

5.The Kaavanoor Village Panchayat,
Represented by its President,
Kaavanoor Village and Post,
Arakkonam Taluk.

.. Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the first respondent with reference to the order in

Na.Ka.B3/19278/2010 dated 5.11.2011, quash the same and direct the respondents not to interfere with the exercise of petitioner's legitimate right to the fishery in the five lakes namely Periya Eri, Sitheri, Thangal Eri in Kaavanoor Village and Kilkuppam Eri and Ammavarthangal Eri of Kilkuppam Village.

For Petitioners : Mr.I.Abrar Mohamed Abdullah
For Respondents-1to4 : Mrs.A.Sri Jayanthi,
Special Government Pleader.
For Respondent-5 : No Appearance

O R D E R

The relief sought for in this writ petition is to call for the records relating to the first respondent with reference to the order in Na.Ka.B3/19278/2010 dated 5.11.2011, quash the same and direct the respondents not to interfere with the exercise of petitioner's legitimate right to the fishery in the five lakes namely Periya Eri, Sitheri, Thangal Eri in Kaavanoor Village and Kilkuppam Eri and Ammavarthangal Eri of Kilkuppam Village.

2. The Lease Deed executed was between the private parties dated 30th August, 2011. Even as per the said Lease Deed, the period of lease was from 30.8.2011 to 29.7.2012. On a perusal of the Lease Deed, the same has not been approved by the Competent Officials.

3. This apart, the period of lease had already been lapsed before long years and therefore, the writ petitioners cannot claim any further right of fishing based on the Lease Deed entered between the private parties on 30th August, 2011 for a period of one year.

4. Thus, the cause aroused for filing of the present writ petition became vanished and in respect of the impugned order, it is stated that the authorities have to conduct a fresh open auction and therefore, cancelled the license granted in favour of the writ petitioners. Such a cancellation deserves no further adjudication in view of the fact that the period of lease had already been expired.

5. Thus, no further adjudication is required in this writ petition and accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The District Collector,
Vellore District.

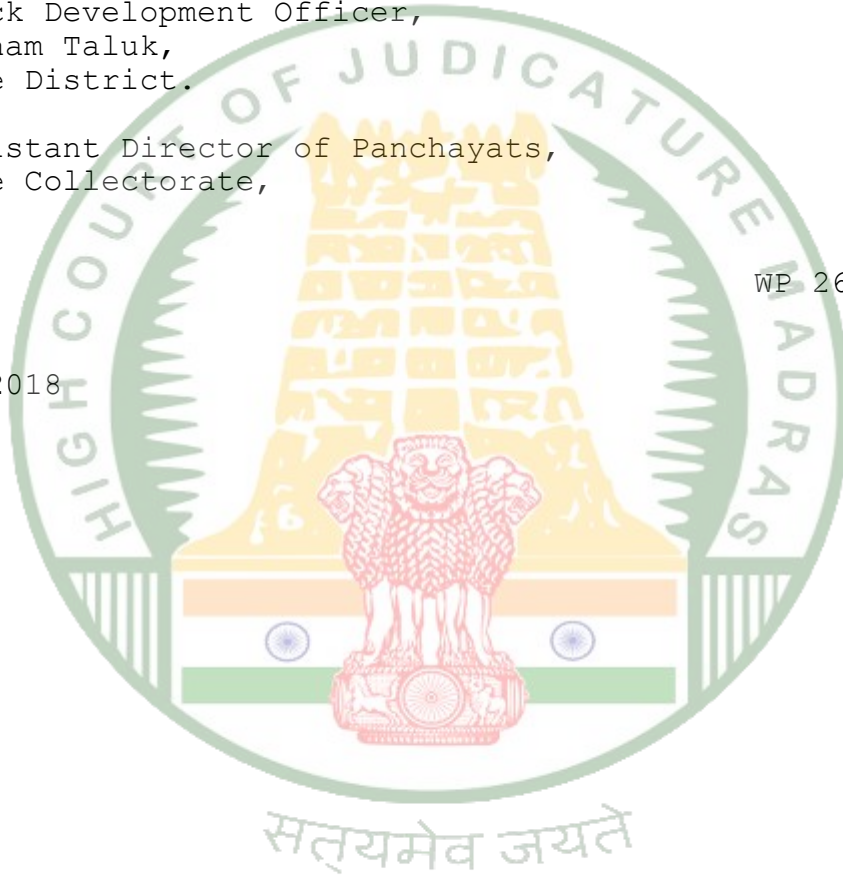
2.The Tahsildar,
Arakkonam Taluk,
Vellore District.

3.The Block Development Officer,
Arakkonam Taluk,
Vellore District.

4.The Assistant Director of Panchayats,
Vellore Collectorate,
Erode.

WP 26463 of 2011

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nr 06/09/2018



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