

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30282 of 2018

Pannandur Uzhavar Manram

Pannandur - 635 123

Pochampalli Taluk

Krishnagiri District

Rep. by its President R. Selvaraj

...Petitioner

..Vs..

1.The District Collector,
Krishnagiri District,
Krishnagiri.

2.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Mel Pennaiyar Basin Division,
Dharmapuri.

3.The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Krishnagiri Dam Sub Division,
Krishnagiri Dam - 635 101.

4.The Tahsildar,
Pochampalli Taluk,
Krishnagiri District.

5.The Assistant Director of Fisheries,
(Inland Fisheries)
Krishnagiri

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to conduct the Fishery right lease auction of "Pannanthur Periyar Eri" in S.No.245 in Pannanthur Village, Pochampalli Taluk, Krishnagiri District, every year in

the Month of May itself through Revenue Department by strictly adhering the guidelines issued in G.O.Ms.No.16, Public Works (P.W.2) Department, dated 14.01.2011 and as agreed by the third respondent in his Letter No.Ko.45/2013/AEE (KRP)/dated 13.12.2013 so as to enable the petitioner to perform their natural agricultural operations without any water pollution by considering their representation dated 03.09.2018.

For Petitioner : Mr.M.Geethathamaraiselvan

For Respondents: Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

By consent of both parties, the Writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the the first respondent herein to conduct the Fishery right lease auction of "Pannanthur Periyar Eri" in S.No.245 in Pannanthur Village, Pochampalli Taluk, Krishnagiri District, every year in the Month of May itself through Revenue Department by strictly adhering the guidelines issued in G.O.Ms.No.16, Public Works (P.W.2) Department, dated 14.01.2011 and as agreed by the third respondent in his Letter No.Ko.45/2013/AEE (KRP)/dated 13.12.2013 so as to enable the petitioner to perform their natural agricultural operations without any water pollution by considering their representation dated 03.09.2018.

3. The case of the petitioner is that since there has been several disputes regarding the fishing rights in "Pannanthur Periyar Eri" in S.No.245 in Pannanthur Village, Pochampalli Taluk, Krishnagiri District, peace committee was held in the year 2014. It is also stated that though as per Go.Ms.No.16,P.W.D. (P.W.2) Department dated 14.01.2011, the public auction of fishing right has to be conducted every year in the month of May, the respondents are not conducting fishing right auction. Hence, the petitioner had submitted a representation dated 03.09.2018 to the respondents, requesting them to conduct the Fishing right auction every year in the month of May, so as to enable the agriculturists/farmers to perform their agricultural operations without any water pollution. Since, no action has been taken till date, the petitioner has come up with this writ petition seeking for the aforesaid relief.

4. Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing on behalf of the

respondents.

5. Considering the facts and circumstances of the case and also having regard to the submissions made on either side, this Court, without going into the merits of the case, directs the respondents, particularly the third respondent to consider the representation of the petitioner dated 03.09.2018, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner as well as to any other interested parties, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

arr/rst

To

- 1.The District Collector,
Krishnagiri District, Krishnagiri.
- 2.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Mel Pennaiyar Basin Division,
Dharmapuri.
- 3.The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Krishnagiri Dam Sub Division,
Krishnagiri Dam - 635 101.
- 4.The Tahsildar,
Pochampalli Taluk, Krishnagiri District.
- 5.The Assistant Director of Fisheries,
(Inland Fisheries) Krishnagiri

+1cc to Mr.R.Thamaraiselvan, Advocate, S.R.No.78721
+1cc to the Government Pleader, S.R.No.79577

W.P.No.30282 of 2018

VSNI(CO)
CS/11/12/2018