



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Fourth day of July Two Thousand and Nineteen

CORAM :

The Hon'ble Mr.Justice M.SATHYANARAYANAN

AND

The Hon'ble Mr.Justice B.PUGALENDHI

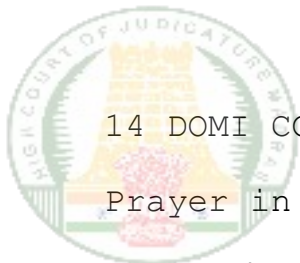
WP(MD). No.4608 of 2018

SUSAI ANTHONY

... Petitioner

Vs

- 1 THE SECRETARY TO GOVERNMENT, ANIMAL HUSBANDRY AND FISHERIES
DEPARTMENT, FORT.ST.GEORGE CHENNAI-9.
- 2 THE DIRECTOR OF FISHERIES, DMS BUILDING, TEYNAMPET, CHENNAI-6.
- 3 THE DISTRICT COLLECTOR, TIRUNELVELI DISTRICT TIRUNELVELI-01.
- 4 THE DISTRICT COLLECTOR, KANYAKUMARI @ NAGERCOIL KANYAKUMARI
DISTRICT-629 001.
- 5 THE DISTRICT COLLECTOR, COLLECTORATE TUTICORIN TUTICORIN
DISTRICT- 628 101.
- 6 THE DEPUTY DIRECTOR OF FISHERIES NAGERCOIL VADASERY
KANYAKUMARI DISTRICT-629 001.
- 7 THE ASSISTANT DIRECTOR OF FISHERIES CHINA MUTTAM KANYAKUMARI
DISTRICT-629 202.
- 8 THE ASSISTANT DIRECTOR OF FISHERIES COLACHEL KANYAKUMARI
DISTRICT-629 202.
- 9 THE DIRECTOR GENERAL OF SHIPPING CUM SECRETARY TO GOVERNMENT
MERCANTILE MARINE DEPARTMENT, MINISTRY OF SHIPPING ROAD
TRANSPORT & HIGHWAYS, GOI FLOOR 9 TECHNO CAMPUS, MUMBAI.
- 10 THE CHIEF ENGINEERING AND ESTATE OFFICER V.O.CHIDAMBARANAR PORT
TRUST ADMINISTRATIVE OFFICE TUTICORIN-628 004.
- 11 INSPECTOR OF POLICE, MARINE POLICE KUDANKULAM TIRUNELVELI
DISTRICT-627 805.
- 12 MS.ANTHONYAPPA



14 DOMI CORRERA BOAT YARD

... Respondents

Prayer in WP(MD).No.4608 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 13 to prosecute the deep sea and mechanized vessels for violating the time schedule fixed in annexure under section 5(3) of the Marine Fishing Regulation Act, 1983, G.O.MS.No.1(Animal Husbandry and fisheries Department)dated 05/01/2000 G.O.MS.No.40(Animal Husbandry and fisheries Department) dated 25/03/2000 under section 15 to 18 of the Act and also under section 435(g)(6) of the Merchant Shipping Act, 1958 as well as take action to demolish the polluting illegal constructions in the name of boat yards made in the seashore within the prohibited distance of 500 meters from the high tide mark.

ORDER:-

Writ Petition is coming on for hearing on this day and upon perusing the earlier order of this Court dated 25.10.2018 and the requisition letter submitted by the Principal District Judge, Thoothukudi, in D.No.2219, dated 26.04.2019 and upon appearing of Mr.Joseph Thatheus Jerome, Advocate for the Petitioner, Mr.K.Chellapandian, AAG Assisted by Mr. A.K.Baskarapandian, Special Government Pleader on behalf of the Respondents 1 to 8 and 11, Mr. M.V.Kathirvelu, Assistant Solicitor General for 9th Respondent, Assisted by Mr.K.Prabhu, Mr.K.Hema Karthikeyan for M/s.Gnanadesikan Law Associates, Advocate for the 10th Respondent and none appearance of the Respondents Nos.12 to 14, this Court made the following order:

(ORDER OF THE COURT WAS MADE BY M.SATHYANARAYANAN, J.)

A Division Bench of this Court, vide common order dated 25.10.2018 had disposed of W.P. Nos.22704/17 and 4608, 2584 and 790 of 2018. Insofar as W.P. No.4608/18 is concerned, this Court, taking into consideration the appeals preferred by the unauthorised encroachers on the coastal zone in CMA Nos.40 and 43/17 on the file of the Principal District Judge, Tuticorin, had directed the said Court to dispose of the appeals within a period of three months from the date of receipt of a copy of the order.

2. Learned Principal District Judge, vide letter dated 24.6.2019, has prayed for extension of time by four months to dispose of the said appeals and, therefore, the matter is directed to be listed in the open court and, accordingly, it is listed and called.

3. The Court heard the submission of the learned counsel for the petitioner and the learned counsel for the respondents and both the sides have no no serious objection for granting extension of time.



4. Accordingly, the Court of Principal District Judge, Tuticorin, is granted further time of four months from today to dispose of CMA Nos.40 and 43 of 2017 pending on its file.

5. Registry is directed to communicate a copy of this order to the learned Principal District Judge, Ramnathapuram.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. THE PRINCIPAL DISTRICT JUDGE,
TUTICORIN.

2. THE PRINCIPAL DISTRICT JUDGE,
RAMANATHAPURAM.

Copy to
The Section Officer,
Writ Section, Madurai Bench of Madras High Court,
Madurai.

WP(MD)No.4608 OF 2018
DATED: 04/07/2018

NS(CO)
TR (26.07.2019) 3P 4C