



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.07.2018
CORAM
THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.23145 of 2015
and
M.P.(MD) No.1 of 2015

R.Ravi Nadar ... Petitioner
Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Assistant Director of
Panchayat Development,
Virudhunagar, Virudhunagar District.
3. The Executive Engineer,
Public Works Department (WRO)
Upper Vaippar Basin Division,
Srivilliputtur, Virudhunagar District.
4. The Assistant Engineer,
Irrigation Section No.1,
Srivilliputtur, Virudhunagar District.
5. The Block Development Officer,
Block Development Office,
Srivilliputtur Panchayat Union,
Virudhunagar District.

... Respondents

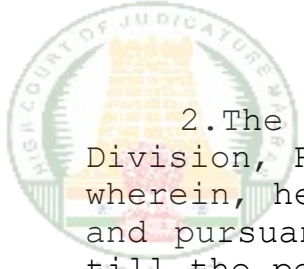
PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, to direct the respondents to issue an order of confirmation and give possession to the petitioner in respect of fishery rights of the Srivilliputhur Big Tank for the corresponding period.

For Petitioner : Mr.G.Marimuthu

For Respondents : Mr.J.Gunaseelanmuthiah
Additional Government Pleader

O R D E R

The ground on which the present writ petition has been filed seeking for confirmation and for possession of the fishery rights in Srivilliputhur big tank in favour of the petitioner herein is that the confirmation of the fishery rights as well as the possession of the big tank was not given to the petitioner herein during the lease period.



2.The Executive Engineer, P.W.D., W.R.O., Upper Vaippar Basin Division, Rajapalayam has filed the counter affidavit on 13.06.2018, wherein, he has stated that the petitioner was the successful bidder and pursuant to the bid, he had fully utilized his fishing rights till the period ending 13.06.2012.

3.After about three years, he had made a representation before the first respondent as if he had not utilized the fishing rights and the present writ petition is also on the basis of such representation. I do not find any reason as to why the counter affidavit of the Executive Engineer, P.W.D., W.R.O., Upper Vaippar Basin Division, Rajapalayam, should be disbelieved, in view of the fact that the petitioner had approached this Court after three years complaining of non extension of the fisheries rights in his favour. Even otherwise, there is no document placed before this Court to establish that the petitioner did not utilise the fisheries rights and as such I do not find any merits in the present writ petition.

4.Accordingly, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Assistant Director of
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Virudhunagar District.
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Virudhunagar District.



+1CC to G.M.LAW OFFICE, Advocate, SR.No.72179

+1CC to the Special Government Pleader SR.No. 71974

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and

M.P. (MD) No.1 of 2015

09.07.2018

MM

ES/RP/SAR 1/18.07.2018/3P/8C