



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2018

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.21459 of 2017
and
W.M.P (MD) .No.17733 of 2017

P.Kamaraj

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Assistant Director of Fisheries,
Inland Fisheries,
Pechiyammanpadithura,
Madurai.

... Respondents

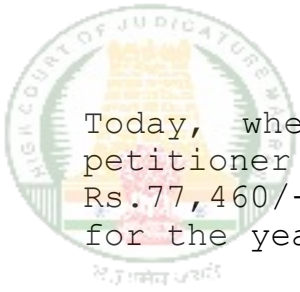
Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent made in Na.Ka.No.1001/E/15 dated 03.11.2017 and quash the same and consequently direct the respondent to waive the lease for present fasli year.

For Petitioners : Mr.N.Mohideen Basha
For Respondent : Mr.Gunaseelanmuthiah (for R1)
Additional Government Pleader

O R D E R

The petitioner was granted lease of fishing for five years i.e, from 2015-2020 in Velliyankundram lake. As per the lease agreement, the lease amount for the year 2017-2018 was fixed Rs.76,835/- (Rupees Seventy Six Thousand Eight Hundred and Thirty Five only). Since the petitioner had defaulted payment of the lease amount, the impugned order came to be passed on 03.11.2017, whereby the petitioner's lease rights were terminated. Challenging the same, the present writ petition has been filed.

2. When the matter came for admission, the learned counsel for the petitioner had given undertaking to pay entire arrears for the year 2017-2018 and thereby, the matter was adjourned to 10.04.2018.



Today, when the matter was called, the learned counsel for the petitioner produced a receipt dated 11.12.2017, whereby a sum of Rs.77,460/- came to be paid to the Tamilnadu Fisherman Welfare Board for the year 2017-2018.

3. Since the grievance of the second respondent is for non-payment of the arrears and taking into account that the petitioner has now paid for the year 2017-2018, it would be appropriate to quash the impugned proceeding. Accordingly, the Writ Petition stands allowed and the impugned proceedings of the second respondent made in Na.Ka.No.1001/,/15 dated 03.11.2017 stands quashed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.
2. The Assistant Director of Fisheries,
Inland Fisheries,
Pechiyammanpadithura,
Madurai.

+ 1 CC TO Mr.N.MOHIDEEN BASHA, ADVOCATE IN SR No. 60974
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 60707

RMK

TE/SV-MMS/SAR-3 : 24/04/2018 : 2P/5C

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