

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6212 of 2019
and
W.M.P.No.7059 of 2019

Sathanur Dam Share Fishermen
Co-operative and Marketing Society,
Regd.No. E-32,
Represented by its President R.Shanmugam
No.191, Kamaraj Nagar,
Malamanjalur (via post),
Thiruvannamalai District.Petitioner

Vs.

1. State of Tamil Nadu,
Rep. By its Principal Secretary,
Animal Husbandry, Dairying and Fisheries,
St.George Fort, Chennai - 600009.
2. The District Collector,
Tiruvannamalai District.
3. Regional Director of Fisheries,
Tamil Nadu Fisheries Development Corporation Limited,
Master Complex, Animal Husbandry Hospital Complex,
Saidapet, Chennai.
4. Assistant Director of Fisheries,
No.5, Cross Street, Kalinjure Road, Viruthampattan
Katpadi, Vellore.
5. Deputy Manager,
Tamil Nadu Fisheries Development Corporation Ltd.
Sathanur Dam, Tiruvannamalai.
6. P.KarthikeyanRespondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, to declare the action of the 2nd respondent in not considering the petitioner's representation dated 22.02.2019 and allowing fishing in the Sathanur Dam as usual as illegal, arbitrary, without jurisdiction and unconstitutional, in violation of the

principles of natural justice.

For Petitioner : Mr.S.Saravanakumar
For Respondents : Mr.V.Prabhu
Government Advocate for R1 to 4
Mr.Master Ganesh for R5
No Appearance for R6

O R D E R

The petitioner seeks for a Declaration, declaring the action of the 2nd respondent in not considering his representation dated 22.02.2019 and allowing fishing in the Sathanur Dam as usual as illegal, arbitrary, without jurisdiction and unconstitutional, in violation of the principles of natural justice.

2. In this writ petition, the notice was issued to the respondents, out of whom respondents 1 to 5 are being represented through the Government Advocate, however, the 6th respondent even after receipt of the notice has not chosen to appear in person or through counsel. His name is printed in the cause list.

3. The grievance of the petitioner before this Court is that the fishing right in the Sathanur Dam should be granted on lease only to the local fishermen society and not to any private individual, in the light of G.O.Ms.No.201 dated 19.10.2017 and however, the official respondents are going to grant such lease in favour of the 3rd party.

4. Ventilating such grievance, the petitioner has given his representation on 22.02.2019 and the said representation has not been considered so far.

5. Accordingly, this Writ Petition is disposed of, without expressing any view on the merits of the claim made by the petitioner, only with a direction to the second respondent to consider the said representation and pass appropriate orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1. State of Tamil Nadu,
Rep. By its Principal Secretary,
Animal Husbandry, Dairying and Fisheries,
St.George Fort, Chennai - 600009.
2. The District Collector,
Tiruvannamalai District.
3. Regional Director of Fisheries,
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Katpadi, Vellore.
5. Deputy Manager,
Tamil Nadu Fisheries Development Corporation Ltd.
Sathanur Dam, Tiruvannamalai.

+1cc to Mr.S.Saravanakumar, Advocate SR.No.33952

W.P.No.6212 of 2019

PMS (CO)
GMY (15/04/2019)



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