

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 26.03.2019  
CORAM  
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU  
W.P.No.31324 of 2018

A.Rajendran

...Petitioner

Vs.

1. The District Collector,  
Villuppuram,  
Villuppuram - District.
  2. The Assistant Director of Fisheries,  
1<sup>st</sup> Floor, No.10, Nithiyanandam Nagar,  
Vazhuthareddy,  
Villupura District.
  3. Sankarapuram Meenavar Co-operative Society,  
Sankarapuram,  
Villuppuram District.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 2<sup>nd</sup> respondent in his proceedings dated 08.10.2018 quash the same as illegal and consequently directing the 2<sup>nd</sup> respondent to issue fisheries license to the petitioner at Pallagacherry P.W.D lake, Sankarapuram Taluk, Villuppuram District for the period of 01.07.2018 to 30.06.2021.

For Petitioner : Mr.S.Anbazhagan

For Respondents: Mr.S.N. Parthasarathy

Government Advocate for R1

Mr.L.P. Shanmugasundaram

Special Government Pleader

for R2

Mr.K.Rajendran for R3

O R D E R

This Writ Petition is filed challenging the proceedings of the 2<sup>nd</sup> respondent dated 08.10.2018 and consequently, for a direction to the 2<sup>nd</sup> respondent to issue fisheries license to the petitioner at Pallagacherry P.W.D lake, Sankarapuram Taluk, Villuppuram District for the period from 01.07.2018 to 30.06.2021.

2. The petitioner is an individual and aggrieved against the grant of fishing license to the 3<sup>rd</sup> respondent Society. According to the petitioner, the 2<sup>nd</sup>

respondent ought to have considered the application submitted by the petitioner also, while considering the application of the 3<sup>rd</sup> respondent.

4. On the other hand, the 2<sup>nd</sup> respondent, by way of filing a counter affidavit contended that as per G.O(Ms) No.201 Animal Husbandry, Dairying and fisheries (FS-6) Department dated 19.10.2017, preference will have to be given only to local Inland fisherman co-operative societies to uplift their socio economic status and when such being the policy of the Government of Tamil Nadu, the license granted to the 3<sup>rd</sup> respondent-Co-operative Society is well in order and therefore, the same need not be interfered with.

5. Heard the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents.

6. Perusal of the G.O(Ms)No.201 dated 19.10.2017 and the tender condition would clearly indicate that only the Local Fishermen Co-operative Society shall be given priority for taking lease of fishing rights of intensive inland fish culture tanks before leasing through public tender by paying the upset price upfront.

7. When the 3<sup>rd</sup> respondent-Society has already come forward to take the license and consequently, the license has also been granted in favour of the 3<sup>rd</sup> respondent in accordance with G.O(Ms)No.201 dated 19.10.2017, I do not think that the petitioner, as an individual, is entitled to question the grant of such license in favour of the 3<sup>rd</sup> respondent-Society. Only in the absence of the third respondent society, the question of inviting of public tender would arise as contemplated in the above said G.O. Accordingly, I find that the the present writ petition is totally misconceived and the same is dismissed. No costs.

sni/vri

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

To  
The District Collector,  
Villuppuram, Villuppuram - District.  
+1cc to Mr.Arun Kumar, Advocate SR.No. 28676  
+1cc to Mr.K.Rajendran , Advocate SR.No. 28829  
+1 cc to Government Pleader SR.NO. 29145

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