



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.4088 of 2019

and

WMP (MD) Nos.3182 & 3183 of 2019

The Arumugamangalam Vattara Vivasaya Sangam,
Rep.by its President,
R.Gopal

... Petitioner

Vs.

1.The Executive Engineer,
Public Works Department,
Thamaraparani Basin Irrigation System,
Tirunelveli - 2.

2.The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Vadagal Privu, Eral,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of notification issued by the second respondent with regard to the fishing auction in Arumugamangalam Tank which is mentioned in Serial No.2 of the notification dated 13.02.2019 in Ka.No.கா.21/2019-இதர-1 and consequently issue the direction to the respondents to give fishing auction over the Arumugamangalam Tank to the petitioner's Sangam.

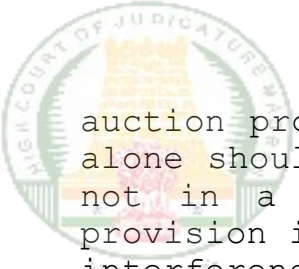
For Petitioner	: Mr.S.Ramasamy
Respondents	: Mr.M.Rajarajan
	Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petition mentioned Tank admittedly pertains to Public Works Department, Government of Tamil Nadu. The respondents have notified that an auction will be held with regard to granting of fishery rights in the Tank in question. The writ petitioners challenge the auction notification and demand that they should be granted license.

3.When the Tank belongs to the respondents, it is open to the respondents to conduct the auction and issue license in favour of the highest bidder. The petitioners can always take part in such



auction process. The petitioners cannot obviously demand that they alone should be given the license in question. The petitioners are not in a position to invoke any Government Order or statutory provision in support of their stand. No case has been made out for interference.

4. This writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar (CS)

To

1. The Executive Engineer,
Public Works Department,
Thamaraparani Basin Irrigation System,
Tirunelveli - 2.

2. The Assistant Engineer,
Public Works Department,
Water Resources Organization,
Vadagal Privu, Eral,
Thoothukudi District.

+1cc to Mr. S. RAMASAMY, Advocate, SR.No. 48961

+1cc to M/s. Special Government Pleader, SR.No. 49052

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SKM

KK/SAR/04.04.2019/ 2P- 5C