



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P (MD)No.24966 of 2019

and

W.M.P. (MD) .No.21549 of 2019

S.Arumugam : Petitioner

Vs.

1.The Executive Engineer,
Public Works Department,
Tamirabarani Basin Division,
Tirunelveli-2,
Tirunelveli District.

2.The Assistant Executive Engineer,
Public Works Department,
Tamirabarani Basin Division,
Tirunelveli-2,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass appropriate orders on the petitioner's representation dated 03.10.2019, in the light of the G.O.Ms.No.332, Animal Husbandry and Fisheries (FDS.IV) Department, dated 17.11.1993 and direct the respondents to renew the Chathiram Pudukulam Pond Lease for 2019-2010.

For Petitioner : Mr.J.Jeyakumaran
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the first respondent to consider and pass appropriate orders on the petitioner's representation dated 03.10.2019, in the light of the G.O.Ms.No.332, Animal Husbandary and Fisheries (FDS.IV) Department, dated 17.11.1993 and direct the respondents to renew the Chathiram Pudukulam Pond Lease for 2019-2010.

2.The petitioner is a lessee under the respondents for fishing in Chathiram Pudukulam Pond in Tirunelveli District. Since the



his lease period, he filed a writ petition before this Court in W.P.(MD).No.17633 of 2016 and this Court passed an order dated 19.09.2019, directing the first respondent therein to consider the petitioner's representation therein and extend the lease period for the year 2016-2017. Pursuant to which, the respondents have extend the lease period with a direction to pay 10% excess amount for the said year and it is extended further for the subsequent years with excess 10% amount. Further, the respondents have to execute the lease period to the petitioner for the year 2019-2020, by raising 10% excess amount. In this regard, the petitioner has made a representation dated 03.10.2019 to the respondents and the same is still pending before the authority without passing any orders.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.The learned counsel appearing for the petitioner submitted that as per G.O.Ms.No.332, Animal Husbandry and Fisheries (FDS.IV) Department, dated 17.11.1993, the petitioner is entitled to renew his lease period for the year 2019-2020. Therefore, he seeks a direction to the respondents to pass an order, in the light of the G.O.Ms.No.332, dated 17.11.1993.

5.Without going into the merits of the case and considering the limited scope of the prayer, the first respondent is directed to consider the representation of the petitioner dated 03.10.2019, and pass appropriate orders on merits and in accordance with law and also in the light of the G.O.Ms.No.332, Animal Husbandry and Fisheries (FDS.IV) Department, dated 17.11.1993, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

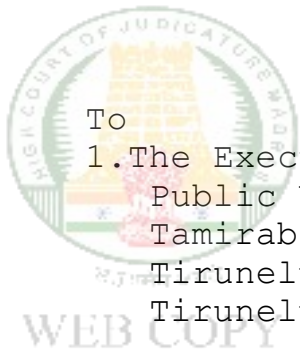
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Sub Assistant Registrar (CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Executive Engineer,
Public Works Department,
Tamilnadu Basins Division,
Tirunelveli-2,
Tirunelveli District.

2.The Assistant Executive Engineer,
Public Works Department,
Tamilnadu Basins Division,
Tirunelveli-2,
Tirunelveli District.

+1 CC to MR.J. JEYAKUMARAN, Advocate (SR-102851[F] dated
29/11/2019)

+1 CC to SGP (SR-102988[F] dated 02/12/2019)

Order made in
W.P(MD)No.24966 of 2019
Dated: **29.11.2019**

KM/(07.01.2020) 3P 5C