

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.09.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WP No.13129 of 2020

K.Harikrishnan

.... Petitioner

Vs.

1. The District Collector,  
Dharmapuri District,  
Dharmapuri.

2. The Block Development Officer,  
Pennagaram,  
Dharmapuri District.

... Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to forthwith consider the representation of the petitioner dated 17.02.2020, in seeking to issue boat man license to drive boat in lieu of the license possessed by the father of the petitioner Late G.Krishnamoorthy in License No.8.

For Petitioner : Mr.G.Arulmurugan

For Respondent : Mr.E.Balamurugan  
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the representation made by the petitioner on 17.02.2020 and to issue boat man license.

2. The case of the petitioner is that his father was originally granted Boat Man License by the 2<sup>nd</sup> respondent. The further case of the petitioner is that his father died in the year 2007. Thereafter, the petitioner was also given license to do fishing and the same has been renewed till the year 2020. The petitioner was not able to effectively use this license, since he requires a Boat to get into the river for the purpose of catching the fish. For this purpose, he must have a Boat Man

license. The petitioner made a representation to the respondents on 17.02.2020 in this regard. Since the same was not considered, the present writ petition has been filed before this Court.

3. Mr.E.Balamurugan, learned Special Government Pleader based on the written instructions received by him from the 2<sup>nd</sup> respondent, submitted that the petitioner cannot rely upon the license given to his father and the petitioner must submit an independent application with all particulars before the 2<sup>nd</sup> respondent and only then, the request made by the petitioner will be considered.

4. The learned counsel for the petitioner submitted that the petitioner has not relied upon the Boat Man license issued to his father and he wants the 2<sup>nd</sup> respondent to independently consider the application made by the petitioner. The learned counsel further submitted that there is already a license given to the petitioner for fishing and therefore, the petitioner has to necessarily get a Boat Man license for undertaking the fishing activity and that is the only livelihood for the petitioner.

5. This Court has carefully considered the submissions made on either side and also perused the materials placed before it.

6. Taking into consideration the facts and circumstances of the case and the specific stand taken by the 2<sup>nd</sup> respondent, there shall be a direction to the petitioner to submit a fresh application to the 2<sup>nd</sup> respondent along with all necessary particulars. The 2<sup>nd</sup> respondent shall consider the same strictly in accordance with the regulations and pass appropriate orders within a period of four weeks from the date of receipt of the application from the petitioner. The petitioner shall also produce a copy of this order along with the application submitted before the 2<sup>nd</sup> respondent.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,  
Dharmapuri District,  
Dharmapuri.
2. The Block Development Officer,  
Pennagaram,  
Dharmapuri District.

+1 cc to M/s. G.Arulmurugan, Advocate Sr.No. 31981

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AJS (CO)  
RMP (04/11/2020)