



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2020

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No. 842 of 2020

A.Ganapathy @ Prabhakaran

... Petitioner

Vs.

The Assistant Engineer,
P.W.D.Office,
Palayankalavai Piriva,
Palayamkottai,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondent to consider the Petitioner's representation dated 20.12.2019.

For Petitioner : Mr.P.Bhaskar

For Respondent : Mr.M.Murugan

Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondent to consider the Petitioner's representation, dated 20.12.2019.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The case of the petitioner is that the Petitioner and his family members have engaged in fishing in water bodies in his native village namely Naduvaikurchi, Palayamkottai Taluk, Tirunelveli District for generations together and they have also registered their fishing rights in respect of the tanks at Udayarkulam Village and Vagaikulam village. While-so, the respondent vide his letter, dated 10.12.2019 invited bids through auction for fishing rights and Meenpasi for the period from 1.1.2020 to 30.6.2020 for the water bodies in the villages namely, Naduvaikurchi, Udayarkulam and Vagaikulam. But the Petitioner and his family members have the fishing rights and had also paid the taxes to the panchayat in respect of Vagaikulam and Virusurukulam in Udayarkulam and Vagaikulam villages and as such, the Government has no right to bring the said tanks for auction. In this regard, the Petitioner has submitted a representation dated 20.12.2019 to the respondent. The same is said to be still pending. Hence, the



petitioner has come forward with the present Writ Petition for the above stated relief.

4. Therefore, without expressing any opinion on the merits of the claim made by the petitioner, the respondent is directed to consider the representation of the petitioner, dated 20.12.2019 and pass appropriate orders on the same, on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn

To

The Assistant Engineer,
P.W.D. Office,
Palayankalavai Piriva,
Palayamkottai,
Tirunelveli District.

+1CC TO MR.P.BHASKAR, ADVOCATE, SR NO.2651

ORDER MADE IN

W.P(MD) No. 842 of 2020

25.02.2020

KK/06.03.2020/2P-3C

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