



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)Nos.2165 to 2167 of 2020

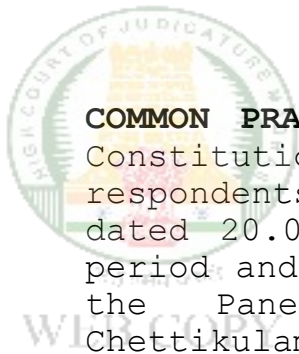
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T.Lingesh	... Petitioner in W.P. (MD) No.2165 of 2020
A.Thangasamy	... Petitioner in W.P. (MD) No.2166 of 2020
G.Jeyaraj	... Petitioner in W.P. (MD) No.2167 of 2020

Vs.

- 1) The Secretary to Government,
Animal Husbandry and Fisheries Department,
Fort St.George,
Chennai 600 009
- 2) The Director of Fisheries,
Directorate of Fisheries
Administrative Office Buildings,
DMS Complex, Teynampet,
Chennai.
- 3) The District Collector,
Kanyakumari District.
- 4) The Assistant Director of Fisheries,
Distillery Road, Vadaseri,
Nagercoil, Kanyakumari District.
- 5) The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.
- 6) The Chief Engineer,
Public Works Department,
Nagercoil,
Kanyakumari District.
- 7) Therur Thenkumari Inland Fisherman
Co-operative Society Limited No.FNL 9,
Rep. by its President,
Theroor,
Kanyakumari District.

... Respondents in all W.P.'s



COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents No.3 to 5 to consider the petitioners' representation dated 20.01.2020 in accordance with law within a stipulated time period and consequently direct them to extend the lease period for the Paneerkundukulam Pond, Ramanputhurkulam, Senkulam and Chettikulam Alagappanpuram pond respectively by a period of 6 months i.e. till 30.06.2020 thereby enabling the petitioners to harvest his fishes.

In all the cases:

For Petitioners : Mr.C.Muthusaravanan
For RR 1 to 6 : Mr.M.Rajarajan,
Government Advocate

C O M M O N O R D E R

Since the issue involved in all the cases are one and the same, they are disposed of by this common order. By consent, these writ petitions are taken up for final disposal at the admission stage itself.

2. Mr.M.Rajarajan, learned Government Advocate takes notice on behalf of the respondents 1 to 6.

3. These writ petitions are filed seeking for a Mandamus, directing the respondents No.3 to 5 to consider the petitioners' representation dated 20.01.2020 in accordance with law within a stipulated time period and consequently direct them to extend the lease period for the Paneerkundukulam Pond, Ramanputhurkulam, Senkulam and Chettikulam Alagappanpuram pond respectively by a period of 6 months i.e. till 30.06.2020 thereby enabling the petitioners to harvest the fish.

4. In view of G.O.Ms.No.16, Public Works Department, dated 14.01.2011, the extension of lease is not possible. The learned Government Advocate, upon instructions states that, the Assistant Engineer has sent a proposal for fixing the upset price. After some time, auction notice will be announced. It is also open to the petitioner to take part in the auction that may be announced as and when the notification is issued. It is made very clear that the petitioners' application should not be rejected on flimsy grounds.

5. With these directions, the writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1) The Secretary to Government,
Animal Husbandry and Fisheries Department,
Fort St.George,
Chennai 600 009

2) The Director of Fisheries,
Directorate of Fisheries
Administrative Office Buildings,
DMS Complex, Teynampet,
Chennai.

3) The District Collector,
Kanyakumari District.

4) The Assistant Director of Fisheries,
Distillery Road, Vadaseri,
Nagercoil, Kanyakumari District.

5) The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.

6) The Chief Engineer,
Public Works Department,
Nagercoil,
Kanyakumari District.

+1 CC to SPL.GP (SR-6320[F] dated 14/02/2020)

+1 CC to Mr.C.MUTHUSARAVANAN, Advocate (SR-6221[F] dated
13/02/2020)

Common Order made in
W.P(MD)Nos.2165 to 2167 of 2020
13.02.2020

MK (18.03.2020) 3P 9C