



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) .No.10345 of 2020

and

W.M.P. (MD) .No.9192 of 2020

M.S.Pasumpon

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Executive Engineer,
Public Works Department,
Periyar Vaigai Irrigation Division,
Madurai - 625 002.

3.The Deputy Director of Fisheries,
Fisheries Department,
No.58, 2 ND Main Road, Vaanamamalai Nagar,
Bye Pass, Madurai - 14.

4.Madurai South Taluk
Inland Fisherman Co-operative Society,
Represented by its President,
P.Jayaraman,
Avaniyapuram, Madurai.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from doing any fishing operation directly or through other agencies in Nilaiyur Periya Kanmoi, Nilaiyur, Madurai District by considering the representation of the petitioner dated 16.03.2020 and 21.08.2020.

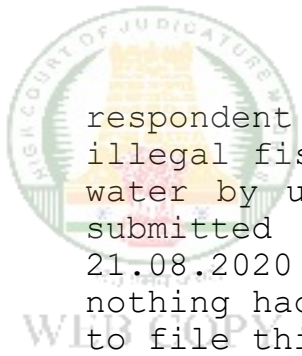
For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader

O R D E R

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

This writ petition styled as a Public Interest Litigation, is filed by the petitioner, who is an elected President of Nilaiyur 1st Bid Panchayat and the grievance expressed by the petitioner is that there is a big water body(Nilaiyur Periya Kanmai) in the Nilaiyur Panchayat and the third respondent had granted licence to the fourth



respondent for getting fishes and it has been expired, but however, illegal fishing activities are going on and that too by draining the water by using water pump-sets and in this regard, the petitioner submitted representations dated 16.03.2020, 22.05.2020 and 21.08.2020 and despite receipt and acknowledgement of the same, nothing had taken place and therefore, the petitioner is constrained to file this writ petition.

2. Mr.K.P.Krishnadoss, learned Special Government Pleader accepts notice on behalf of the respondents.

3. This Court heard the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner prays for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the case projected by the petitioner either in his representation or in this writ petition, directs the respondents 2 and 3 to consider the representation of the petitioner dated 16.03.2020 and while doing so, shall also cause surprise inspection of the water body in question and also put the fourth respondent on notice and elicit their response and thereafter pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the fourth respondent.

5. This writ petition stands disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

6. Call on **15.10.2020** for filing status report of the third respondent with supporting documents and photographs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

Note: In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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



To

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Executive Engineer,
Public Works Department,
Periyar Vaigai Irrigation Division,
Madurai - 625 002.
- 3.The Deputy Director of Fisheries,
Fisheries Department,
No.58, 2 ND Main Road, Vaanamamalai Nagar,
Bye Pass, Madurai - 14.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High court,
Madurai.
(To list the matter on 15.10.2020)

W.P. (MD) .No.10345 of 2020
and
W.M.P. (MD) .No.9192 of 2020

28.08.2020

SPU (08.09.2020) 3P 5C