



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :13.08.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) Nos.16105 and 16106 of 2019

WEB COPY

W.P. (MD) No.16105 of 2019 :

Selvakumar

... Petitioner

Vs.

The Assistant Director of Fisheries (inland),
Petchiamman Padithurai, Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to refund the deposit amount of Rs.1,40,020/- paid through Postal bonds towards fishing rights in Madakulam Kanmai, Madurai District.

W.P. (MD) No.16106 of 2019 :

Manoharan

... Petitioner

Vs.

The Assistant Director of Fisheries (inland),
Petchiamman Padithurai, Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to refund the deposit amount of Rs.2,20,200/- paid towards fishing rights in Thenkal Kanmai, Madurai District.

(in both petitions)

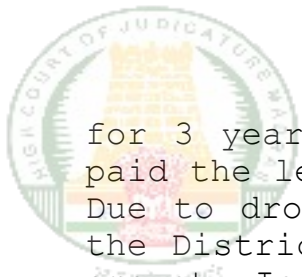
For Petitioner : Mr.R.Murali

For Respondents : Mr.C.M.Marichelliah Prabhu,
Additional Government Pleader.

COMMON ORDER

These Writ Petitions are filed to direct the respondent to refund the deposit amount of Rs.1,40,020/- and Rs.2,20,200/- respectively, paid towards fishing rights in Madakulam Kanmai and Thenkal Kanmai respectively, Madurai District.

2. According to the learned counsel for the petitioner, tender was conducted for inland fishing in Madurai District. The petitioner was a successful bidder. As per tender notification, the lease is



for 3 years 2014-2015 to 2016-2017. Thereafter, the petitioner has paid the lease charges to the respondent for the year 2014 and 2015. Due to drought in the year 2016, there is no water in any tank in the District. Therefore, the petitioner was unable to pay the lease amount. In this regard, they made a representation dated 21.12.2018 and 21.01.2018 respectively, seeking refund the caution deposit amount, which is available with them. So far no order has been passed, these writ petitions came to be filed.

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

4. In view of the above averments, this Court is inclined to direct the respondent to consider the petitioner's representation dated 21.12.2018 and 21.01.2018 respectively, on merits and in accordance with law and pass appropriate orders, within a period of 12 weeks from the date of receipt of a copy of this order, after affording due opportunity of personal hearing to the petitioner and the interested parties, if any.

5. These Writ Petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

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.

To

The Assistant Director of Fisheries (inland),
Petchiamman Padithurai, Madurai.

+1 CC to M/s.GP (SR-14091[F] dated 14/08/2020)

W.P. (MD) Nos.16105 and 16106 of 2019
13.08.2020