

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.No.10215 of 2021

S. Arivazhagan

Board Member,

E.2100, Devanampattinam (South),

Fisheries Cooperative Society,

Devanampattinam and Post,

Cuddalore 607 001.

.. Petitioner

Vs.

1.The Director of Fisheries,
No.571, Integrated Office Building,
3rd Floor, Nandanam,
Chennai 600 035.

2. The Deputy Director of Fishing,
(Regional) Cuddalore District,
Cuddalore.

3. The Assistant Director of Fisheries,
Fisheries Department,
Cuddalore 607 003.

4. The District Collector,
Cuddalore District,
Penniar Road,
Cuddalore 607 001.

.. Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents herein to dispose of the representation of the petitioner society dated 03.02.2020, 05.02.2021 and reminder dated 05.03.2021 and to stop the illegal fishing activities in and around the Cuddalore District.

For Petitioner : Mr.S.P.Sudalayandi

For Respondents: Mr.Stalin Abhimanyu, Govt. Advocate

O R D E R

The relief sought for in this Writ Petition is to issue a Mandamus directing the respondents to dispose of the representation of the petitioner society dated 03.02.2020 and 05.02.2021 and reminder dated 05.03.2021 and thereby stop the illegal fishing activities in and around the Cuddalore District.

2. According to the petitioner, Devanampattinam (South) Fisheries Co-operative Society is a registered society and it consists of 656 members, who are fishermen by profession. It is the grievance of the petitioner that in Cuddalore District, there are about 280 fishermen, who are not the members of any society, out of which, 154 persons are using more than 240 HP capacity motor fishing boats for their fishing activities, which is against the provisions of the Tamil Nadu Marine Fishing Regulation Act, 1983 and as a result of the same, the livelihood of the members of the petitioner's society is affected. In this regard, the petitioner's made a representation dated 03.02.2020 to the third respondent requesting to cancel the licence granted to the individuals who are indulging in such illegal fishing activities, which was not yielded any fruitful result. Hence, the petitioner's society submitted another representation dated 05.02.2021 to the fourth respondent to regulate the said fishing activities, which was followed by a reminder dated 05.03.2021. Finding no response on the same, the petitioner has come up with this writ petition for the aforesaid relief.

3. Heard both sides and perused the documents enclosed in the typed set of papers.

4. Considering the limited relief sought herein, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner's society dated 03.02.2020 and 05.02.2021, followed by the reminder dated 05.03.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of two weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

msr

To

1. The Director of Fisheries,
No.571, Integrated Office Building,
3rd Floor, Nandanam,
Chennai 600 035.
2. The Deputy Director of Fishing,
(Regional) Cuddalore District,
Cuddalore.
3. The Assistant Director of Fisheries,
Fisheries Department,
Cuddalore 607 003.
4. The District Collector,
Cuddalore District,
Penniar Road,
Cuddalore 607 001.

+1cc to Mr.S.P.Sudalayandi, Advocate, S.R.No.29145

+1cc to the Government Pleader, S.R.No.29389

W.P.No.10215 of 2021

UBM(CO)
CB(08/07/2021)



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