



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM:

The Hon'ble Mr. Justice Krishnan Ramasamy

W.P.No.22338 of 2018

L.Jafer Ali

...Petitioner

Vs.

1. The Assistant Director of Fisheries,
Sirkazhi,
Nagapattinam District.

2. The Director of Fisheries,
Administrative Office Buildings,
DMS Complex, Sivasankaran Road,
Chockkalingam Nagar,
Teynampet, Chennai - 600 006.

3. Member Secretary,
Coastal Aqua Culture Authority,
GTR Tower, 12A Bharathi Street,
Vanuvampettai, Madipakkam,
Chennai - 600 091.

...Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to pass order on the petitioner's application dated 30.04.2018 and reminder dated 18.06.2018.

For Petitioner : M/S.R.Gururaj

For Respondent-1: Mr.V.Ashok Kumar
Central Government Standing Counsel

For Respondent-2: Mr.K.M.D.Muhilan
Government Advocate

O R D E R

This Writ Petition has been filed to dispose of the petitioner's application dated 30.04.2018 and reminder dated 18.06.2018.



2.M/S.R.Gururaj, the learned counsel appearing for the petitioner submits that the petitioner has proposed to start prawn culture, and therefore, he has made an application in a prescribed form to 3rd respondent on 30.04.2018, as the third respondent is the competent Authority to grant permission, however, the application has to be routed through the first respondent, and the 3rd respondent subsequently has to follow the 1st respondent through 2nd respondent.

3.Mr.K.M.D.Muhilan, the learned Government Advocate submits that, after making the application, the petitioner, again, sent a reminder letter, dated 18.06.2018, to the respondents, pursuant to which, the first respondent sent a reply, dated 22.06.2018, stating that, he has forwarded his recommendation to the 2nd respondent, and in the said recommendation, the 1st respondent stated that there were objections from the public and hence, the petitioner has to obtain necessary certificate from the Uvarneer Prawn Culture Coastal Authority and since the petitioner has not obtained the registration certificate from the Coastal Authority, his application has not been processed.

4.In view of the above, this Court directs the 2nd respondent to dispose of the application of the petitioner, dated 30.04.2018, by taking into consideration of the objection raised by the public and after ensuring whether the petitioner has obtained the registration certificate from the Coastal Authority, and thereafter, pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

jd/sd

To

1. The Assistant Director of Fisheries,
Sirkazhi,
Nagapattinam District.



2. The Director of Fisheries,
Administrative Office Buildings,
DMS Complex, Sivasankaran Road,
Chockkalingam Nagar,
Teynampet, Chennai - 600 006.

3. Member Secretary,
Coastal Aqua Culture Authority,
GTR Tower, 12A Bharathi Street,
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+1cc to the Government Pleader SR.No.60306

W.P.No.22338 of 2018

SS(CO)
GN(13/12/2021)