



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WEB COPY

W.P. (MD) No. 10075 of 2012

and M.P. No. 1 of 2012

(Through Video Conferencing)

Poigai Anai Neervala Aadhara Amaippu
Muraippaduthapatta Paasana Kulangalin
Neerinai payanpaduthuvor Sangam
Reg. No. KKM44
Represented by its Secretary
C. Subbaiah

... Petitioner

Vs.

1. The Executive Engineer,
Water Resource Organisation,
Public Works department
Nagercoil
Kanyakumari District

2. The District Revenue Officer,
Nagercoil
Kanyakumari District

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to permit the petitioner to fish in vaigai tank at Aralvaimozhi, Kanyakumari District and grant fishing rights as per the provisions of Tamil Nadu Irrigation Works Management Act, 2000 and G.O. No. 16 dated 14.01.2011 of the Public Works Department to the petitioner within the time stipulated by this Court.

For Petitioners : Mr. T. Lajapathi Roy

For Respondents : Mr. M. Muniyasamy

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to permit the petitioner Association to continue with their fishing rights in Vaigai Tank at Aralvaimozhi, Kanyakumari District.

2. The learned counsel for the petitioner submitted that subsequent to the filing of the writ petition, a Government order came to be passed in G.O. Ms. No. 201 dated 19.10.2017, wherein, preferential fishing rights have been given. The learned counsel therefore submitted that the petitioner association will make a



fresh representation to the respondents in line with this Government order and the same may be directed to be considered.

3. Taking into consideration the subsequent development that has taken place in this case, liberty is granted to the petitioner to make a fresh representation to the respondents claiming for fishing rights and the same shall be considered by the respondents in line with G.O.Ms.No.201 dated 19.10.2017 and appropriate order shall be passed.

4. The writ petition is disposed of accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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

1.The Executive Engineer,
Water Resource Organisation,
Public Works department
Nagercoil
Kanyakumari District

2.The District Revenue Officer,
Nagercoil
Kanyakumari District

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-17198[F] dated 23/04/2021)

+1 CC to M/s.SPL GP (SR-17381[F] dated 23/04/2021)

W.P. (MD) No.10075 of 2012
22.04.2021

RK (30.04.2021) 2P 5C