



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.9834 of 2021

and

W.M.P. (MD) No.7559 of 2021

WEB COPY

K.Kamaraj

... Petitioner

vs.

1.The Executive Engineer,
Water Resources Organization /
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.

2.The Assistant Executive Engineer,
Water Resources Organization /
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to extend the fishery rights lease for further period of three years as per G.O.(Ms) No.332 Animal Husbandry and Fisheries (FS-IV) Department dated 17.11.1993 in respect of Poovani Tank, melur Duraisampuram Village, Rajapalayan Taluk, Virudhunagar District.

For Petitioner : Mr.Saravanakumar.M
For Respondents : Mr.P.Thilak Kumar,
Government Advocate.

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents.

2.The petitioner states that he was the successful bidder for the petition mentioned tank in the auction held in February, 2019. The license period was one year. The petitioner had stated in the affidavit filed in support of the writ petition that due to various reasons, he could not harvest the fishlings. The petitioner's counsel states that the petitioner has given a representation dated 18.01.2021 seeking extension of the lease period.

3.The petitioner's counsel places reliance on G.O.(Ms)No.332, Animal Husbandry and Fisheries (FS.IV) Department, dated 17.11.1993 in support of his contention. He also draws my attention to the



order dated 04.10.2018 made in W.P.(MD)No.20634 of 2018 (P.Mokkai V. The Director of Fishers and Others).

4.Taking note of the submissions made by the learned counsel for the petitioner, I direct the first respondent to pass orders on the petition mentioned representations in the light of G.O.(Ms) No.332, dated 17.11.1993. Such an order will be passed within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Resources Organization /
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.
- 2.The Assistant Executive Engineer,
Water Resources Organization /
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.

+1 CC to M/s.M.SARVANAKUMAR, Advocate (SR-19109[F] dated 09/06/2021)

W.P.(MD) No.9834 of 2021
07.06.2021

KB(17.06.2021) 2P 4C