



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD) .No.10429 of 2021
(Through video conferencing)

Ramaiah Ananth

... Petitioner

Vs.

1.The Commissioner,
Palayamkottai Panchayat Union,
Tirunelveli District.

2.The Commissioner,
Tirunelveli Corporation,
Tirunelveli District.

... Respondents

[2nd respondent is *suo motu* impleaded
as per the order of this Court dated 28.06.2021]

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the respondent to extend the lease for fishery rights at Kannimar tank and Chettikulam tank situated within Muneerpallam Village Panchayat by increasing 15% of the 2nd year lease amount for the 3rd year commencing from 01.07.2021 to 30.06.2022 by considering the representation dated 15.05.2021, within the stipulated time.

For Petitioner : Mr.D.Venkatesh

For Respondent No.1 : Mr.K.S.Selvaganesh

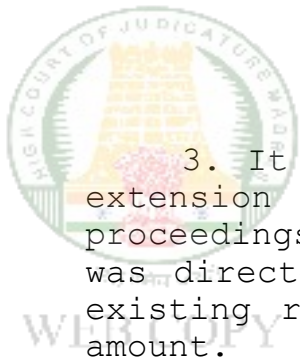
For Respondent No.2 : Mr.Ayiram K.Selvakumar

ORDER

The Commissioner, Tirunelveli Corporation, Tirunelveli District is *suo motu* added as the second respondent in this writ petition.

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 15.05.2021 wherein the petitioner has sought for extension of the lease granted for fishery rights at Kannimar tank and Chettikulam tank from 01.07.2021 to 30.06.2021.

2. Heard Mr.D.Venkatesh, learned counsel appearing on behalf of the petitioner, Mr.K.S.Selvaganesh, learned counsel appearing on behalf of the first respondent and Mr.Ayiram K.Selvakumar, learned counsel appearing on behalf of the second respondent.



3. It is seen from the records that the petitioner was granted extension of lease period from 01.07.2020 to 30.06.2021 by proceedings of the first respondent dated 22.07.2020. The petitioner was directed to pay the enhanced rent at the rate of 15% from the existing rent. Accordingly, the petitioner also paid the enhanced amount.

4. The grievance of the petitioner is that due to the lock down, he was not able to take advantage of the extended lease period and hence he made a representation to the first respondent seeking for a further extension of the lease period. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

5. The learned counsel appearing on behalf of the respondents submitted that the two tanks namely, Kannimar tank and Chettikulam tank have been transferred to the jurisdiction of the impleaded second respondent. Therefore, if the petitioner is requesting for any extension of the lease period, a fresh representation can be made to the second respondent and the second respondent may be directed to consider the same.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the petitioner to submit a fresh representation to the impleaded second respondent seeking for extension of lease. The second respondent, on receipt of the same, shall consider the representation on its own merits and in accordance with law and take a decision within a period of two weeks from the date of receipt of the representation from the petitioner.

7. This writ petition is disposed of with the above direction.
No Costs.

Sd/-

Assistant Registrar (ADII)

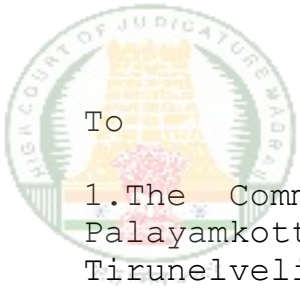
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/ /2021

Sub Assistant Registrar(CS)

PJL

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 Commissioner,
Palayamkottai Panchayat Union,
Tirunelveli District.

2.The Commissioner,
Tirunelveli Corporation,
Tirunelveli District.

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KB(30.06.2021) 3P 3C