



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.10601 of 2021

and

W.M.P. (MD).No.8261 of 2021

(Through video conferencing)

A.Prabakaran

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar - 626 001.

2.The Commissioner,
Rajapalayam Panchayat Union,
Rajapalayam Post-626 117,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing respondents to conduct Fishery Rights Public Auction as per guideline issued in the Tamil Nadu Panchayats (Lease and Licensing of Fishery Rights in Water Sources vested and Regulated by Village Panchayats and Panchayat Union Councils) Rules, 1999, in respect of Tanks under control of the 2nd respondent situated in Rajapalayam Panchayat Union, Virudhunagar District, within a stipulated time may be fixed by this Court.

For Petitioner

: Mr.M.Saravanakumar

For Respondents

: Mr.M.Lingadurai

Government Advocate

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to conduct public auction for granting fishery rights.

2. The learned Government Advocate appearing on behalf of the respondents submitted that the public auction was conducted on 25.06.2021 and even the petitioner had participated in the auction.

3.The learned counsel for the petitioner submitted that the auction is not conducted in a free and fair manner by the respondents and as a result of the same, there were no sufficient



participants and the license is granted for very low rates.

4. In the considered view of this Court, the request made by the petitioner for conducting of the public auction to grant fishery rights has now been fulfilled by the respondents. If at all there is any irregularity in conducting the auction, the same will give rise to a fresh cause of auction and the same cannot be decided in this writ petition.

5. This 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)

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 District Collector,
Virudhunagar District,
Virudhunagar - 626 001.

2.The Commissioner,
Rajapalayam Panchayat Union,
Rajapalayam Post-626 117,
Virudhunagar District.

+1 CC to M/s.M.SARAVANAKUMAR, Advocate(SR-20514[F]dated 29/06/2021)

+1 CC to M/s.SPL GP (SR-20713[F] dated 30/06/2021)

**W.P. (MD) .No.10601 of 2021
28.06.2021**

RC (13.07.2021) 3P 5C