



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.10511 of 2021

(Through video conferencing)

Kamaraj

... Petitioner

Vs.

1.The Executive Engineer,
Water Resource Organization,
Public Works Department,
Upper Vaipar River Brain,
Rajapalayam,
Virudhunagar District.

2. The Assistant Engineer,
Public Works Department,
Water Resource Organization,
Irrigation Section II, Rajapalayam,
Virudhunagar District.

3.The Assistant Engineer,
Public Works Department,
Water Resource Organization,
Seithur Division, Seithur,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the first respondent to extend the lease, fishery rights in the Vandayar Kulam Tank, Kovilur Village, Rajapalayam Taluk, Virudhunagar District for the Palsi years 1431 and 1432.

For Petitioner : Mr.M.Jothi Basu
For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the first respondent to extend the period of lease for the fishery rights granted in favour of the petitioner up to 30.06.2021.

2. Heard Mr.M.Jothi Basu, learned counsel appearing on behalf of the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing on behalf of the respondents.



3. It is seen from the records that the first respondent has granted fishing rights to the petitioner upto 30.06.2021. The grievance of the petitioner is that due to excess rainfall, water was overflowing and as a result of the same, the petitioner was not in a position to catch the fish. The petitioner therefore made a representation to the respondents on 11.06.2021 seeking for 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.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the representation made by the petitioner on 11.06.2021 will be considered and the decision will be conveyed to the petitioner within a period of one week from the date of receipt of a copy of this order.

5. 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 first respondent to consider the representation made by the petitioner on 11.06.2021 and deal with the same strictly in accordance with law and convey the decision to the petitioner within a period of one week from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

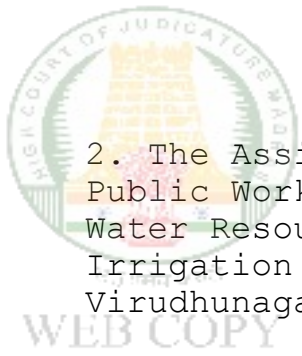
PJL

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 Executive Engineer,
Water Resource Organization,
Public Works Department,
Upper Vaipar River Brain,
Rajapalayam, Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Assistant Engineer,
Public Works Department,
Water Resource Organization,
Irrigation Section II, Rajapalayam,
Virudhunagar District.

3. The Assistant Engineer,
Public Works Department,
Water Resource Organization,
Seithur Division, Seithur,
Rajapalayam Taluk,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-20707[F] dated 30/06/2021)

**W.P. (MD) .No.10511 of 2021
28.06.2021**

tp(CO)
TR(30.06.2021) 3P 5C