



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 30.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10813 of 2021

W.M.P. (MD) No.8460/2021

(Through Video Conferencing)

P.Petchiyappan

... Petitioner

Vs.

1.The Executive Engineer,
Water Resource Organization/
Public Works Department
Mel Vaippar Basin Division,
Rajapalayam Post 626117
Virudhunagar District.

2.The Assistant Executive Engineer,
Water Resource Organization
Public Works Department
Mel Vaippar Basin Sub Division,
Rajapalayam Post 626117
Virudhunagar 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 extent 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 Poovaneri Tank, Solaiseri Village, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.R.Suresh Kumar
Government Advocate

ORDER

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 18.01.2021, wherein the petitioner is seeking for extension of the period of license for continuing with the fishery rights.

2. The case of the petitioner is that the second respondent conducted the auction in the year 1993 for granting license for fishery rights and the petitioner participated in the same and he was the highest bidder. Even subsequently the petitioner continued and the petitioner was successful in getting the license up to



30.06.2021.

3. The petitioner made a representation to the respondents seeking for extension of the license beyond 30.06.2021. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents.

5. The petitioner has approached this Court on the apprehension that the respondents are taking steps to conduct public auction. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the first respondent to consider the representation made by the petitioner on 18.01.2021 and take a decision with regard to the request made by the petitioner within a period of ten days from the date of receipt of a copy of this order.

6. This writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

// 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 Organization/
Public Works Department
Mel Vaippar Basin Division,
Rajapalayam Post 626117
Virudhunagar District.



2.The Assistant Executive Engineer,
Water Resource Organization
Public Works Department
Mel Vaippar Basin Sub Division,
Rajapalayam Post 626117
Virudhunagar District.

+1 CC to M/s.M.SARAVANAKUMAR, Advocate (SR-20619[F] dated
30/06/2021)

+1 CC to M/s.SPL GP (SR-20903[F] dated 01/07/2021)

W.P. (MD) No.10813 of 2021
30.06.2021

(CO)
TR(02.07.2021) 3P 5C