



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

**W.P. (MD) .No.11250 of 2021
and W.M.P. (MD) .No.8787 of 2021**

V.Ramesh

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Collectorate, Tenkasi.

2.The Commissioner,
Sankarankovil Panchayat Union,
Panchayat Union Office,
Sankarankovil Post,
Tenkasi District.

... Respondents

Prayer: Writ Petition 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 four years as per Rule 11 of 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 Mangudi Tank, Mangudi Village, Sankarankovil Panchayat Union, Tenkasi District.

For Petitioner : Mr.M.Saravanakumar

For Respondent : Mr.M.Lingadurai, for R1
Government Advocate

Mr.R.Bhaskaran, for R2
Government Advocate

ORDER

This Writ petition has been filed for the issue of a Writ of Mandamus directing the second respondent to consider the representation made by the petitioner, on 28.06.2021, wherein, the petitioner is seeking for extension of lease of the fishery rights granted to the petitioner beyond 30.06.2021.



2.The case of the petitioner is that he had participated in a public auction, on 05.02.2021 and he also paid the lease amount. However, the lease was granted only for a period of four months. The petitioner, therefore, made a representation to the second respondent stating that under the relevant Rules, the lease for fishery rights will have to be granted for five years and hence, he sought 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.

3.Heard Mr.M.Saravanakumar, learned counsel appearing for the petitioner, Mr.M.Lingadurai, learned Government Counsel, appearing for the first respondent and Mr.R.Bhaskaran, learned Government Counsel, appearing for the second respondent.

4.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 second respondent to consider the representation made by the petitioner on 28.06.2021, strictly in accordance with law and the relevant Rules and take a decision, within a period of two weeks from the date of receipt of a copy of this order.

5.The petitioner is directed to make a fresh representation to the second respondent along with all relevant documents and also a copy of this order.

6.This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Tenkasi District,
Collectorate, Tenkasi.

2.The Commissioner,
Sankarankovil Panchayat Union,
Panchayat Union Office,
Sankarankovil Post,
Tenkasi District.

+1 CC to M/s.M.SARAVANA KUMAR, Advocate (SR-21619[F] dated
08/07/2021)

+1 CC to M/s.SPL GP (SR-21956[F] dated 09/07/2021)

+1 CC to M/s.A.BASKARAN, Advocate (SR-22054[F] dated 12/07/2021)

W.P. (MD) .No.11250 of 2021

Dated:08.07.2021

LS (CO)

RK (15.07.2021) 3P 6C