



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.07.2021**

CORAM:

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**W.P. (MD) .No.11526 of 2021**

**and**

**W.M.P (MD) No.9053 of 2021**

M.Gopinath

... Petitioner

Vs.

1.The Deputy Director of Fisheries (Zonal),  
Office of the Deputy Director of Fisheries,  
Madurai,  
Madurai District.

2.The Assistant Director of Fisheries,  
Theni Vaigai Dam,  
Theni District.

... Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 2<sup>nd</sup> respondent herein to issue confirmation order and fishery license for the period June 2021 to June 2024 (3 years) to the petitioner herein (highest bidder) with respect to the Bodi Meenakshiamman Kanmoi, Ammapatti Village, Bodi Taluk, Theni District, in pursuance to the auction, dated 29.06.2021 held by the 2<sup>nd</sup> respondent herein within a time stipulated by this Hon'ble Court.

For Petitioner

: Mr.D.Nallathambi

For Respondents

: Mr.M.Lingadurai

Government Advocate

**ORDER**

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to issue the confirmation order and grant fishery license to the petitioner pursuant to the tender called for by the second respondent.

2. When the matter was taken up for admission, the learned Government Advocate appearing on behalf of the respondents submitted that the offer that was made by the tenderers who participated in the earlier auction was very low and therefore, the respondents have decided to go ahead and issue a fresh notification. Accordingly, the tender notification was issued on 09.07.2021 and it was also published in the Daily Newspaper.



3. The learned Government Advocate submitted that the participants have been directed to submit the tender application upto 20.07.2021. The learned Government Advocate further submitted that it will be open to the petitioner also to participate in the auction

**WEB COPY**

4. It is submitted that the petitioner has already paid the amount at the time of participating in the earlier auction. This amount has to be refunded to the petitioner or it must be adjusted in the fresh tender that has been called for by the respondents.

5. Recording the submission of the learned Government Advocate, this Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Tsg

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 Deputy Director of Fisheries (Zonal),  
Office of the Deputy Director of Fisheries,  
Madurai, Madurai District.

2.The Assistant Director of Fisheries,  
Theni Vaigai Dam,Theni District.

+1 CC to M/s.SPL GP ( SR-22307[F] dated 13/07/2021 )

+1 CC to M/s.D.NALLATHAMBI, Advocate ( SR-22381[F] dated 13/07/2021 )

**Order made in**  
**W.P. (MD) .No.11526 of 2021**  
**and**  
**W.M.P (MD)No.9053 of 2021**  
**Dated :**  
**12.07.2021**