



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD)No.208 of 2019

(Through video Conference)

WEB COPY

Thenga Pattinam Fishing Harbour Traders
Development Society,
Reg.No.33/2012,
Represented by its Secretary,
S.Chaandra Raj

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Deputy Superintendent of Police,
Office of the DSP,
Colachel Sub Division,
Kanyakumari District.

3.The District Collector,
Office of the District Collector,
Collectorate, Nagercoil,
Kanyakumari District.

4.The Deputy Director of Fisheries,
(Regional), Department of Fisheries,
Near Vadasery Bus Stand,
Nagercoil, Kanyakumari District.

5.The Assistant Director of Fisheries,
Fisheries Department,
Saimen Colony, Colachel,
Nagercoil,
Kanyakumari District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 and 2 to take appropriate action and provide adequate police protection to the petitioner association and its members while fishing and during their transportation, especially "Kelethy Fish Variety" at the Thengaipattinam Port.

For Petitioner
For Respondents

: Mr.Niranjana S.Kumar
: Mr.B.Thanga Aravindh
Government Advocate



O R D E R

This writ petition is filed seeking mandamus directing the respondents 1 and 2 to take appropriate action and provide police protection to the petitioner Association and its members while transporting the fish, especially "Kelethy Fish Variety" from Thengapattinam Port.

2. The case of the petitioner Association is that they carry fish activity in the coastal of Thengapattinam Port and transport fish varieties from Thenagapattinam to the other places. This activity at Thengapattinam Port being in vogue since 1860 and the catch used to be asserted through water ways. However, the activity was seized to operate in the year 1980 following modernisation and establishment of roadways. When the State Government to upgrade the Port as international Port, the locals started agitating over the development. This took a different shade as if there is a disharmony among the two communities, which led to filing of a complaint in CSR.No.591 of 2018 and frequent obstruction of transporting the catch by road. Hence, management is sought for to take appropriate action and provide adequate police protection to the petitioner Association.

3. The learned Government Advocate appearing for the respondents would submit that subsequent to the registration of CSR.No.591 of 2018, there was a peace talk between the members of the petitioner Association and the members of the Tengapattinam Muslim Jamath Committee in the presence of the Deputy Collector, Padmanabapuram and the parties has resolved to settle the dispute by restricting activity of the petitioner Association in a particular manner and in a particular time. Pursuant to the settlement, dated 26.02.2019, there is no dispute between the petitioner Association and the local population.

4. Recording the above statement made by the learned Government Advocate, this writ petition is closed. No Costs.

Sd/-

Assistant Registrar (W)

// 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 Superintendent of Police,
Office of the Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Deputy Superintendent of Police,
Office of the DSP,
Colachel Sub Division,
Kanyakumari District.

3.The District Collector,
Office of the District Collector,
Collectorate, Nagercoil,
Kanyakumari District.

4.The Deputy Director of Fisheries,
(Regional), Department of Fisheries,
Near Vadasery Bus Stand,
Nagercoil, Kanyakumari District.

5.The Assistant Director of Fisheries,
Fisheries Department,
Saimen Colony, Colachel,
Nagercoil, Kanyakumari District.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-38705[F]
dated 14/12/2021)

**W.P. (MD) No.208 of 2019
14.12.2021**

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