



WEB COPY

W.P.(MD) No.12649 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2021

CORAM :

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**AND**

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

W.P. (MD) No.12649 of 2021

and

W.M.P (MD) .No.9863 of 2021

P.Stalin

... Petitioner

**Vs**

- 1.The District Collector,  
Tirunelveli District,  
Collectorate,  
Tirunelveli.
- 2.Director of Fisheries,  
Anna Salai CIT Nagar East,  
Chennai-600 035.
- 3.Assistant Director Fisheries,  
Expansion and Training,  
Radhapuram,  
Tirunelveli District.
- 4.Thasildhar,  
Disaster Management,  
Radhapuram, Tirunelveli District.
- 5.Block Development Officer,  
Radhapuram Village & Taluk,  
Tirunelveli District.

6.Arputharaj

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the official respondents to remove the structures and the prawn farm conducted by the 6<sup>th</sup> respondent on the sea shore of Thomierpuram village, Radhapuram Taluk, Tirunelveli District illegally occupying the construction belonging to the fishermen of the village forthwith.

For Petitioner : Mr.M.V.Venkataseshan

For respondents : Mr.R.Baskaran for R1 to R4  
Standing Counsel for Government

Mr.R.Raghavendran for R5  
Standing Counsel for Government



**ORDER**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.M.V.Venkataseshan, learned counsel appearing for the petitioner; Mr.R.Baskaran, learned Government Counsel appearing for the respondents 1 to 4 and Mr.R.Raghavendran, learned counsel appearing for the fifth respondent.

2. In the light of the order we proposed to pass, notice to the sixth respondent is dispensed with.

3. The petitioner's case is that the sixth respondent has illegally set up a prawn farm, illegally laid a pipe line and drawing sea water without obtaining any permission. In fact, the third respondent has informed one of the villagers that action will be taken for removal of the prawn farm and to dismantle the pipe line by communication dated 16.06.2021. However, it appears that no action has been initiated by the third respondent to inform the fourth respondent, who has to take action.

4. Since we are disposing of this writ petition without notice to the sixth respondent, we only direct the fourth respondent to send one of his Officers to conduct a surprise inspection and if it is found that there is illegal drawal of sea water and if there is any prawn farm or fish farm has been established without obtaining permission, the same may be immediately locked and sealed and the pipe line should be dismantled and removed and notice be issued to the sixth respondent and the matter should be proceeded in accordance with law. This direction be complied with within a period of three weeks from the date of receipt of a copy of this order.

5. With the above directions, this **Writ Petition stands disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

1. 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.

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



To:

- 1.The District Collector,  
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Collectorate,  
Tirunelveli.
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Expansion and Training,  
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- 4.Thasildhar,  
Disaster Management,  
Radhapuram,  
Tirunelveli District.
- 5.Block Development Officer,  
Radhapuram Village & Taluk,  
Tirunelveli District.
- 6.Arputharaj  
Thomierpuram Village,  
Radhapuram Village & Taluk,  
Tirunelveli District.

+1 CC to M/s.M.V.VENKATASE3SHAN, Advocate ( SR-24088[F] dated 27/07/2021 )

+1 CC to M/s.SPL GP ( SR-24412[F] dated 29/07/2021 )

W.P. (MD) No.12649 of 2021  
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RK (03.08.2021) 3P 9C