



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD)No.14837 of 2021

and

W.M.P. (MD).No.11732 of 2021

WEB COPY

A2407 Madurai South Taluk Inland
Fishermen Co-operative Society,
Rep.by its President,
Mr.P.Jeyaraman,
S/o.P.Perumal,
Avaniyapuram,
Madurai.

... Petitioner

Vs.

The Assistant Director of Fisheries,
Fisheries Department,
No.1, Pandian Tower,
Melaponnagaram 5th street,
Arapalayam,
Madurai-16.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to extend the permission granted by the respondent to the petitioner's society for fishing in respect of Periyakulam Tank at Ayanpappakudi Village, Madurai vide the proceedings of the respondent in Na.Ka.No.857/E/2020 dated 08.04.2021 of further period of one year within the time stipulated by this Court.

For Petitioner : Mr.Lajapathiroy.T

For Respondent : Mr.R.Baskaran

Counsel for State,

ORDER

The petitioner is a Fishermen Co-operative Society, which seeks an extension of the licence in respect of fishing rights at the Periyakulam Tank of Ayanpappakudi Village, Madurai.

2. The petitioner claims priority in respect of such fishing rights in terms of G.O.Ms.No.201, Department of Animal husbandry and Fisheries dated 19.10.2017. It is stated that by proceedings dated 08.04.2021, a licence was granted to the petitioner granting fishing rights on sharing basis with regard to the Periyakulam Tank for the year 2020-2021. The said licence period ended on 30.06.2021. On account of the lock down announced in connection with the covid-19 pandemic, the petitioner states that the members of the society were unable to undertake fishing activities. In such circumstances, a representation was carried to the respondent on 30.06.2021 seeking extension of such licence. The present writ petition is filed



seeking consideration and disposal of such representation.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of the sole respondents. He submits that the petitioner's representation may be directed to be considered and disposed of on merits.

4. The facts and documents on records indicate that the petitioner was granted a licence on 08.04.2021. The period of such licence was until 30.06.2021. Judicial notice may be taken of the fact that the second wave of the covid-19 pandemic impacted all activities during the aforesaid licence period. In the facts and circumstances, the respondent should consider the petitioner's representation after reckoning the aforesaid material aspects.

5. Accordingly, subject to the aforesaid observations, the respondent is directed to consider the petitioner's representation dated 30.06.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner. Such reasoned order shall be passed within a period of 30 days from the date of receipt of a copy of this order.

6. W.P.(MD).No.14837 of 2021 is disposed of on these terms without any order as to costs. Consequently, connected W.M.P.(MD). No.11732 of 2021 is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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

The Assistant Director of Fisheries, Fisheries Department,
No.1, Pandian Tower,
Melaponnagaram 5th street, Arapalayam, Madurai-16.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-27073[F]dated24/08/2021)

+1 CC to M/s.GP (SR-27165[F] dated 25/08/2021)

W.P (MD)No.14837of 2021

and

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RD(1.09.2021) 2P 4C

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