



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.21000 of 2021

and

W.M.P. (MD)No.17602 of 2021

WEB COPY

S.Singadurai

... Petitioner

vs.

1.The Executive Engineer,
Water Resource Organisation/
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.

2.The Assistant Engineer,
Water Resource Organisation/
Public Works Department,
Mel Vaippar Basin Division,
Sivagiri-627 757, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to extend the fishery rights lease for further period of three years as per G.O.(Ms)No.332, Animal Husbandry and Fisheries (FS-IV) Department, dated 17.11.1993 in respect of Vadakal Tank, Sivagiri Village and Taluk, Tenkasi District is concerned.

For Petitioner :Mr.M.Saravanakumar

For Respondents :Mr.N.Satheesh Kumar

Additional Government Pleader

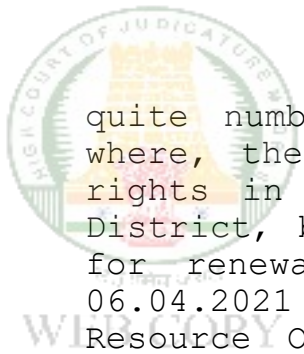
O R D E R

This Writ Petition has been filed in the nature of Mandamus seeking a direction to extend the fishery rights lease for a further period of three years in accordance with G.O.(Ms)No.332, Animal Husbandry and Fisheries (FS-IV) Department, dated 17.11.1993 with respect of Vadakal Tank, Sivagiri Village and Taluk, Virudhunagar District.

2.Heard Mr.M.Saravanakumar, learned Counsel for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader for the respondents.

3.In the affidavit filed in support of this Writ Petition, it had been stated that the petitioner had taken fishing lease for

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



quite number of years in Thalavaipuram Village, Sivagiri Taluk, where, the petitioner is residing. He is the lessee of fishing rights in Vadakal Tank, Sivagiri Village and Taluk, Virudhunagar District, belonging to the respondents. The petitioner has sought for renewal of the lease. He had given a representation on 06.04.2021 to the first respondent/Executive Engineer, Water Resource Organisation/Public Works Department, Mel Vaippar Basin Division, Rajapalayam, Virudhunagar District.

4.The learned Counsel for the petitioner states that there are orders of this Court, which had recognised extension of fishing rights and extension of lease rights.

5.Mr.N.Satheesh Kumar, learned Additional Government Pleader states that there are also judgments of a Division Bench of this Court, which had stated that the fishing right should be auctioned.

6.I am not entering into any discussion on the said aspects, but would rather direct the first respondent, to consider the representation given by petitioner, issue notice to the petitioner, examine the records of the petitioner, particularly about his existing lease right and previous lease rights and thereafter, take a decision. The first respondent is placed under obligation to take a considered decision within a period of eight weeks from the date of receipt of a copy of this order. If the copy of the representation already given by the petitioner is not available with the first respondent, the petitioner is directed to give fresh representation enclosing all the requisite documents.

7.With the said observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

1.The Executive Engineer,
Water Resource Organisation/
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.



2.The Assistant Engineer,
Water Resource Organisation/
Public Works Department,
Mel Vaippar Basin Division,
Sivagiri-627 757, Tenkasi District.

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+1 CC to M/s.M.SARAVANAKUMAR, Advocate (SR-38981[F] dated 16/12/2021)

+1 CC to M/s.SPL GP (SR-39048[F] dated 16/12/2021)

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