

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.06.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.NO.9793 OF 2022
AND CONT.P.NO.723 OF 2022
& W.M.P.NOS.9522 AND 9528 OF 2022
AND SUB-APPLN. NO.180 OF 2022

T.Panneerselvam

...Petitioner in both Writ Petition
and Cont.Petition

Vs.

1. The Executive Engineer,
Water Sources Department,
Kosasthaliyar Division,
Thiruvallur District.
2. The Commissioner of Fisheries,
Nandanam, Chennai - 600 035.
3. The Assistant Director of Fisheries,
SH-56, Thiruvathiyur Ponneri Road,
Thiruvallur, Thiruvallur District.
4. The Assistant Engineer (WSD)
Irrigation Division, Thiruvallur,
Thiruvallur District.

...Respondents in the W.P.No.9793 of 2022

1. Mr.Podhupanithilagam
The Executive Engineer,
Water Sources Department,
Kosasthaliyar Division,
Thiruvallur District.

2. Mr.K.S.Palanisamy, I.A.S.,
The Commissioner of Fisheries,
Nandanam, Chennai - 600 035.
3. Mr.V.Velan,
The Assistant Director of Fisheries,
Thiruvallur, Thiruvallur District.

.... Respondents in Cont.P.No.723 of 2022

Prayer in W.P.No.9793 of 2022:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarifid Mandamus, calling for the impugned orders passed by the 1st respondent in letter No.Va.Pi/E.Va A2/Ko.52 Fish moss/244/2022 dated 06.04.2022 culminating in the consequential order in Auction Notice No.01/AE-2/2022 dated 07.04.2022 passed by the 4th respondent, quash the same and consequently extend the lease period to the petitioner as per G.O.Ms.No.201 dated 19.10.2017.

Prayer in Cont.P.No.723 of 2022:

Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for the disobedience of order dated 31.03.2022 passed in W.P.No.7993 of 2022

In both W.P. & Cont.P.

For Petitioner : Mr.P.Krishnan

For Respondents : Mr.V.Arun, AGG

Assisted by Mr.TNC.Kaushik

Additional Government Pleader

COMMON ORDER

Read this order in conjunction with order dated 21.06.2022 extracted below:

Mr.V.Arun, learned Additional Advocate General appearing for Mr.TNC Kaushik, learned Additional Government Pleader would submit that nothing survives in W.P.No.9793 of 2022 and that order dated 20.06.2022 would render the contempt application also infructuous.

2. Learned counsel for the petitioner requests a few days time to peruse order dated 20.06.2022.

3. At request of learned counsel for the petitioner, list on 27.06.2022.

2. Today, learned counsel for the petitioner would submit that the petitioner may be granted leave to challenge order dated 20.06.2022. Such liberty is granted.

3. Though the learned counsel for the petitioner would submit that order dated 20.06.2022 does not take note of the Government Orders in G.O.Ms.No.201 dated 19.10.2017, G.O.Ms.No.332 dated 17.11.1993 and G.O.Ms.No.1286 dated 09.11.1984 and orders in W.P.(MD) No.23861 of 2017 and batch dated 27.03.2018, in proper perspective, seeing as he has sought and has been granted liberty to challenge order dated 20.06.2022 in accordance with law, I desist from stating anything more on the merits of the matter.

4. In light of the liberty granted above, the Writ Petition and the Contempt Petition are closed. No costs. Connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Executive Engineer, Water Sources Department,
Kosasthaliyar Division,
Thiruvallur District.
2. The Commissioner of Fisheries,
Nandanam, Chennai - 600 035.
3. The Assistant Director of Fisheries,
SH-56, Thiruvathiyur Ponneri Road,
Thiruvallur,
Thiruvallur District.
4. The Assistant Engineer (WSD)
Irrigation Division,
Thiruvallur,
Thiruvallur District.

Copy To

The Section Officer,
Contempt Section, High Court,
Madras.

W.P.No.9793 of 2022
and Cont.P.No.723 of 2022
& W.M.P.Nos.9522 and 9528 of 2022
and Sub-Appln. No.180 of 2022

KK(CO)
PM/19/07/2022