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Writ Petition Nos.41872 and 41873 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28/11/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition Nos.41872 and 41873 of 2016

a n d

W.M.P.Nos.35858 to 35860 of 2017

T.K.Mallan

...

Petitioner in both
the writ petitions

Vs

1. The District Collector
Office of the Collectorate
Sathuvachari
Vellore 9.
2. The Executive Engineer
Water Resources Organisation (WRO)
Public Works Department
Melpalur Basin Division
Vellore 632 006.
3. The Assistant Executive Engineer
Water Resources Organisation (WRO)
Public Works Department
Melpalur Basin Division
Vellore 632 006.
4. K. Kanniappan
5. The Superintendent of Police
Vellore District
Vellore.

...

Respondents



PRAYER in W.P.No.41872 of 2016 : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records of the second respondent pertaining to his cancellation of tender of the petitioner dated 21/11/2016 under Ka.No.Ko.32/Baa(Ve)/2016 and quash the same and further grant a mandamus directing the respondents 1 to 3 to permit the petitioner to catch and harvest the fish grown by the petitioner in Thellur Village Lake, Vellore District.

PRAYER in W.P.No.41873 of 2016 : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari o call for the records of the third respondent pertaining to his call for fresh tender dated 22/11/2016 calling on 30/11/2016 under Letter No.Ko75/Auction/2016/U.Se.PO (Ve) pertaining to fishing rights in Thellur Village, Anaicut Taluk, Vellore District and quash the same.

For Petitioner	...	MrV.Anand
For respondents	...	Mr.P.Sathish
		Additional Government Pleader for R.R.1 to 3 and 5

COMMON ORDER

W.P.No.41872 of 2016 has been filed to quash the order, dated 21/11/2016, passed by the second respondent, pertaining to the cancellation of tender, dated 21/11/2016 and further, direct the respondents 1 to 3 to permit the petitioner to catch and harvest the fish grown by the petitioner in Thellur Village Lake, Vellore District.

2. **W.P.No.41873 of 2016** has been filed to quash the order, dated 22/11/2016, passed by the third respondent, pertaining to fishing rights in



Writ Petition Nos.41872 and 41873 of 2016

The llur Village, Anaicut Taluk, Vellore District.

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3. Heard Mr.V.Anand, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for the respondents 1 to 3 and 5. Learned counsel submitted that though various relief is sought in the writ petition, he is confined only to refund of amount deposited.

4. Today, when the matters are taken up for hearing, learned Government Advocate appearing for the respondents 1 to 3 and 5 submitted that if the petitioner is eligible for refund of the amount, same will be refunded, as per law.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

28/11/2022

Index : Yes / No

Internet: Yes

Speaking/non speaking order

mvs.



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To

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N. SATHISH KUMAR, J
mvs.



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