



W.P.No.32947 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

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FMR.21, Morappur Fishermen Co-operative Society,
Kuppachiammal Illam,
Mariyamman Koil Street,
Harur – 636 903,
Dharmapuri District,
Represented by its President,
Tmt.M.Buveneswari

... Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
Pappireddipatti Police Station,
Dharmapuri District.

3.Vadivel

4.Gobi

5.Shanmugham

6.Bhuvaneswari

...Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India,
pleased to issue a Writ of Mandamus, directing the respondents 1 and 2 to



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provide police protection to the petitioner society based on the complaint dated 08.11.2022 to carry out fishing operation in the Vaniyar Reservoir situated at Dharmapuri based on the grant of lease for fishing right to the members of the petitioner society for a period from 01.07.2020 to 30.06.2025 issued by the Deputy Director of Fisheries (Inland Fisheries), Dharmapuri in proceedings in Se.Mu.No.2558/E/2018 dated 01.07.2020.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

The Writ Petition has been filed directing the respondents 1 and 2 to provide police protection to the petitioner society based on the complaint dated 08.11.2022 to carry out fishing operation in the Vaniyar Reservoir situated at Dharmapuri based on the grant of lease for fishing right to the members of the petitioner society for a period from 01.07.2020 to 30.06.2025 issued by the Deputy Director of Fisheries (Inland Fisheries), Dharmapuri in proceedings in Se.Mu.No.2558/E/2018 dated 01.07.2020

2.The learned counsel for the petitioner submitted that petitioner



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society was authorized by the Deputy Director of Fisheries (Inland Fisheries),

Dharmapuri, through his proceedings in Se.Mu.No.2558/E/2018 dated 01.07.2020 for fishing in Vaniyar Reservoir from 01.07.2020 to 30.06.2025.

The respondents 3 to 7 have no connection whatsoever with the petitioner's society. But they are interfering with the fishing activities of the petitioner.

When similar situation arose in 2021, petitioner's society approached this Court for Police protection in CrI.O.P.No.8254 of 2021 and this Court was pleased to direct the respondent Police to ensure that petitioner society engage in fishing activity without any hindrance from the respondents 3 to 6 in CrI.O.P.No.8254 of 2021. Petitioner apprehend similar hindrance from the respondents 3 to 6 herein. Therefore, this petition.

3.The learned Government Advocate (Criminal side) submitted that petitioner's society has given representation seeking Police protection on 08.11.2022. On the basis of which current petition number is given and enquiry is pending.

4.Considered rival submissions and perused the records.



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5.As mentioned earlier, petitioner society was granted permission to do fishing activities from 01.07.2020 to 30.06.2025 in Vaniyar Reservoir by the proceedings of the Deputy Director of Fisheries (Inland Fisheries), Dharmapuri, in Se.Mu.No.2558/E/2018 dated 01.07.2020. One R.Rahul, appeared before this Court and submitted that he is going to file vakalath for R3 to R6 and prayed time for filing vakalath. However, considering the limited scope involved in this case, this Court is not inclined to entertain his request. Petitioner has established *prima-facie* case for fishing in Vaniyar Reservoir and that the respondents 3 to 6 may disrupt the fishing activities. In such circumstances, this Court allows this petition and directs the respondents 1 and 2 to ensure that the fishing activities of the petitioner society is not disrupted by the respondents 3 to 6 or anybody else by giving proper Police protection.

6.With the above direction, this Writ Petition is allowed. No costs.

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Index :Yes/No
Internet:Yes/No
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- To
- 1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
 - 2.The Inspector of Police,
Pappireddipatti Police Station,
Dharmapuri District.
 - 3.Vadivel
 - 4.Gobi
 - 5.Shanmugham
 - 6.Bhuvaneswari
 - 7.The Public Prosecutor,
High Court of Madras.



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