



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Cont.P. (MD).No.53 of 2022

In

W.P. (MD).No.3863 of 2021

S.Swamy Durai

... Petitioner / Writ Petitioner
Vs.

1.Mr.Mariappan,

The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Thamirabarani Basin Division,
Tirunelveli - 2.

2.Mr.Vinoth Kumar,

The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Manimuthar Canal Division,
Manimuthar,

Tirunelveli District - 627 421. ... Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act to initiate contempt proceedings against the contemnors/respondents and punish them for their willful disobedience of the order of this Court in W.P(MD).No.3863 of 2021, dated 25.02.2021.

Prayer in WP(MD). 3863/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus or any other appropriate Writ or Order or Direction particularly in the nature of writ, calling for the records relating to the impugned fishery auction notice issued by the 2nd respondent in Ka.No.Ko.16/2021.Vu.Po(ma)-1 dated 11.02.2021 with regard to serial number 23 Veetrirundhankulam Tank, veetrirundhankulam Village, Cheranmahadevi Tk., Tirunelveli District, quash the same and consequently direct the respondents to extend the lease period upto 30.06.2021 and grant fishery right to the petitioner with regard to Veetrirundhankulam Tank, Veetrirundhankulam Village, Chernmahadevi Taluk, Tirunelveli District, on payment of necessary charges under norms of the public



Works Department on the basis of the Petition's representation
07.01.2021.

For Petitioner : Mr.P.Ranjithraja
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

O R D E R

The Contempt Petition is not at all maintainable and the same is straight away dismissed.

2. I am presented with an order in W.P.(MD).No.3863 of 2021 dated 25.02.2021. The first line of the order is "**Post on 01.03.2021**". The second line of the order is "**There shall be an order of status-quo**".

3. Naturally, the petitioner if he wants to proceed further, has to make necessary enquiry by seeking clarification after obtaining this particular order as to what actually was the intent, whether the Writ Petition should be heard again on 01.03.2021 or whether the Writ Petition has been decided in entirety.

4. The relief sought in the said Writ Petition is that the lease period for fishing should be extended up to 30.06.2021. I am informed by Mr.N.Satheesh Kumar, learned Additional Government Pleader that the petitioner had enjoyed fishing rights up to August 2021 far beyond the period for which he actually wanted the Court to grant relief. No contempt arises.

5. Let the respondents let out the fishing rights for auction. That is the right of the respondents. The petitioner has no right. If he wants to continue fishing, he should participate in the auction. Contempt does not lie. It is stated that an auction had also been conducted and the successful bidder had also been chosen. No contempt arises.

6. Accordingly, the Contempt Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr



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

1.The Executive Engineer,
Public Works Department,
Water Resources Organisation,
Thamirabarani Basin Division, Tirunelveli - 2.

2.The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Manimuthar Canal Division,
Manimuthar, Tirunelveli District - 627 421.

+1 CC to M/s.SPL.GP (SR-3115[F] dated 31/01/2022)

Cont.P. (MD) .No.53 of 2022
in
W.P. (MD) .No.3863 of 2021
28.01.2022

ma (CO)
TR(09.02.2022) 3P 4C