



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4557 of 2022

and

W.M.P. (MD)Nos.3828 to 3830 of 2022

WEB COPY

S.Prasanna Venkatesh

... Petitioner

vs.

1.The Commissioner of Fisheries,  
Department Of Fisheries And Fishermen Welfare,  
Integrated Animal Husbandry and  
Fisheries Building, Nanthanam, Chennai 600 035.

2.The Assistant Director of Fisheries,  
Department of Fisheries And Fishermen Welfare,  
Opposite To Omni Bus Stand, Vadasery,  
Nagercoil, Kanyakumari District 629 001.

3.Mohanraj .P  
Assistant Director of Fisheries,  
Department Of Fisheries And Fishermen Welfare,  
Opposite To Omni Bus Stand, Vadasery,  
Nagercoil, Kanyakumari District-629 001.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, call for the records relating to the impugned order vide Na.Ka.No.4233/A2/2014 dated 25.08.2021 and the consequential order vide Na.Ka.No.4233/A2/2014 dated 10.03.2022 passed by the second respondent and quash the same and consequently, to forbear the respondents from interfering with the fishery rights of the lessee accrued in pursuance of the lease agreement dated 31.08.2018 executed by the first respondent.

For Petitioner :Mr.D.Shanmugaraja Sethupathi  
For Respondents :Mr.M.Lingadurai  
R1, R2 Special Government Pleader

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### **O R D E R**

This Writ Petition has been filed challenging the order, dated 25.08.2021 and the consequential communication, dated 10.03.2022 not to permit the petitioner to carry out fishing activities in the subject reservoir.



2. When the matter was listed for admission, Mr.M.Linga Durai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 and 2, brought to the notice of this Court that by letter, dated 07.03.2022, addressed to the official respondents, the lessee, namely, P.Shyam Karthick has requested them to recognise Mr.P.Devarajan, as his authorised agent in place of S.Prasanna Venkatesh, the petitioner herein.

3. The learned Counsel for the petitioner was not aware of the same at the first instance and therefore, he sought time to get instructions from his client and sought for a pass over. In the afternoon, the learned Counsel for the petitioner got instructions from his client and would confirm that the letter referred to by learned Special Government Pleader was in fact addressed by the petitioner's lessee under which he has requested the official respondents to recognise Mr.P.Devarajan, as his authorised agent in place of S.Prasana Venkatesh, the petitioner herein.

4. Since the respondents have recognized Mr.P.Devarajan, as the authorised agent of the lessee, namely, Mr.P.Shyam Karthick, by virtue of the letter, dated 07.03.2022 addressed to them by the lessee, the relief sought for in this Writ Petition cannot be granted in favour of the petitioner.

5. After recording the letter, dated 07.03.2022 sent by the lessee P.Shyam Karthick, to the official respondents, this Writ Petition is disposed of, as the official respondents have recognised that Mr.P.Devarajan, as the authorised agent of Mr.Shyam Karthick, the lessee. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

cmr

To

1. The Commissioner of Fisheries,  
Department Of Fisheries And Fishermen Welfare,  
Integrated Animal Husbandry and  
Fisheries Building, Nanthanam, Chennai 600 035.



2.The Assistant Director of Fisheries,  
Department of Fisheries And Fishermen Welfare,  
Opposite To Omni Bus Stand, Vadasery,  
Nagercoil, Kanyakumari District 629 001.

**WEB COPY**

+1 CC to M/s.SPL GP ( SR-12479[F] dated 16/03/2022 )

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate ( SR-12410[F] dated  
16/03/2022 )

W.P. (MD)No.4557 of 2022  
15.03.2022

RD(25.03.2022) 3P 5C