



W.P.(MD) No.26637 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.26637 of 2022
and W.M.P.(MD)No.20840 of 2022

P.Ramaraj

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Commissioner / Block Development Officer,
Vasudevanallur Panchayat Union,
Vasudevanallur, Tenkasi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to permit petitioner's Farmers association to maintain the Chinthamani Perikulam Kanmai of Athuvazhi



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Village, Kottaiyur Village Panchayat, Tenkasi District and confer with the fishing rights of the said Kanmai to meet out the expenses caused for the maintenance of the said Kanmai based on the petitioner's representation dated 26.09.2022 within the time limit.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader.

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to permit the petitioner's Farmers Welfare Association to maintain the Chinthamani Perikulam Kanmai, in Athuvazhi Village, Kottaiyur Village Panchayat, Tenkasi District and confer with the fishing rights of the said Kanmai to meet out the expenses caused for the maintenance of the said Kanmai based on the petitioner's representation dated 26.09.2022, within a time frame.



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2. Heard Mr.G.Thalaimutharasu, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the claim of the petitioner that the he is the President of Naranapuram – II Chinthamani Perikulam Nanja & Punja Tenant Farmers' Welfare Association. The said Association has been established in the larger interest of the farmers of Chinthanmani Perikulam Kanmai. The Vasudevanallur Panchayat Union is maintaining the Chinthamani Perikulam Kanmai in a poor manner, despite they collected revenue by giving fishing rights to the private parties. Therefore, the Farmers' Welfare Association is inclined to protect the said Kanmai and in this regard, though the petitioner's Association made a representation dated 26.09.2022, to the 1st respondent seeking to permit them to



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maintain the said Kanmai, including to construct a sluice and provide fishing rights of the said Kanmai, till date, the same has not been considered by the respondents. Hence, the petitioner has filed this Writ Petition.

5. The learned Government Pleader appearing for the respondents submitted that the representation of the petitioner dated 26.09.2022 would be considered by the official respondents and necessary action will be taken, within a time frame, for which, the learned counsel for the petitioner is agreeable.

6. Considering the above submissions, without going into the merits of the matter, we direct the respondents to consider and dispose of the representation of the petitioner dated 26.09.2022, and pass orders on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.]

[J.S.N.P., J.]



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To

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and
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vsm

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