



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.11.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.4410 of 2021

and WMP Nos.8342, 5009 & 5012 of 2021

Sampangi

... Petitioner

Vs

1. The District Collector,
Vellore District, Vellore.
2. The Executive Engineer,
Water Resources Development, Melpalaru,
Vellore District.
3. The Asst. Executive Engineer,
Water Resources Development, (Subdivision) Melpalaru,
Vellore District.
4. The Asst. Engineer,
WRD, Irrigation division, Vellore
5. The Tahsildar,
Appukal Road, Anaicut Taluk & Post,
Vellore District, Vellore – 632 101.
6. The Block Development Officer, (Rural)
Anaicut Taluk, Vellore District.



7. The Village Administrative Officer,
Univaniymbadi Panchayath & Post, Anaicut
Vellore, District.

... Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus calling for records relating to impugned public auction notice dated 15.02.2021 in letter No.Ko.39/2021/Asst.Eng Vellore/dated 15.2.2021 on 23.2.2021 from the file of 4th respondent and quash the same and consequently direct the 7th respondent to permit the petitioner to collect reasonable revenue charges for fishery right in respect of Peria Eri, Unaivaniyambadi Village and Panchayath, Anaicut Taluk, Vellore District.

For Petitioner : Ms.R.T.Sundari

For Respondents : Mr.U.M.Ravichandran
Special Government Pleader

ORDER

This Writ Petition has been filed challenging a public auction notice dated 15.02.2021 issued by the 4th respondent. A consequential direction is also sought to the respondents to permit the petitioner to collect reasonable revenue charges for fishery rights in respect of Peria Eri, Unaivaniyambadi Village and Panchayath, Anaicut Taluk, Vellore District.

2. Had the petitioner been successful in auction, the term of fishery right is for a period of one year. Hence, and as fairly put forth by the learned counsel for



the petitioner, nothing survives either in the main Writ Petition, which is directed to be listed and is so listed under a special list, or in the Miscellaneous Petition listed today.

3. Incidentally, the petitioner claims certain rights by virtue of fishery patta issued on 15.09.1916 by the Settlement Officer. The present procedure followed is for auctioning of the fishing rights. If at all the petitioner believes that he has any right over and above the public rights, that are to be granted by way of auction, it is for him to raise such a point in a timely fashion and not after the tenure of auction itself is over.

4. Both the Writ Petition as well as all connected Miscellaneous Petitions are closed as infructuous. No costs.

06.11.2023

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes

To

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2. The Executive Engineer,
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Vellore District.



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