



WEB COPY



W.P.No.6166 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.6166 of 2023

Rajendran

... Petitioner

Vs

1.The District Collector
Dharmapuri District

2.The Block Development Officer
Eriyur Panchayat Union,
Dharmapuri District.

3.The Chairman
Eriyur Panchayat Union
Dharmapuri District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the respondents to consider the representations of the petitioner dated 23.08.2022, 10.11.2022 and 30.01.2023 to compensate the suspension period of ferry service from Ottanur to Kottaiyur Village from 16.07.2022 to 16.08.2022 to extend the lease period for 32 days from the end of the lease period on 21.03.2023, the loss which incurred due to flood in the Kavery River and on the orders of the 2nd respondent in Na.Ka No.2400/21/A2 dated 16.07.2022 and on the basis of recommendations made by the 2nd respondent as per Na.Ka.No.2400/ 21/A2 dated 23.08.2022 and 02.02.2023.



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For the Petitioner

: Mr.C.Emalias

For the Respondents

: Mr.T.Seenivasan,
Special Government Pleader,
for the first respondent

Mr.S.Arumugam,
Government Advocate,
for respondents 2 and 3

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction to the respondents particularly the first respondent, the District Collector, Dharmapuri District to consider the representations dated 23.08.2022, 10.11.2022 and 30.01.2023.

2. The petitioner is a licensee to ferry passenger and cargo from Ottanur to Kattaiyur village. This was for the period from 16.07.2022 to 16.08.2022.

3. It is the claim of the petitioner that there had been floods in the Kavery river and he had lost 32 days owing to that particular aspect. Therefore, he seeks extension of lease period for a further period of 32 days.



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4. The learned Special Government Pleader however pointed out the conditions for grant of the lease wherein provision has been made for flooding and also for circumstances beyond the control of the petitioner herein.

5. It is also stated that further a condition was also stipulated on 05.03.2022. At any rate, it for the District Collector to examine.

6. It is also stated by the learned counsel for the petitioner that the Block Development Officer had recommended extension of lease.

7. These are the issues which the first respondent/District Collector alone can consider and take a decision on all these aspects. Before taking a decision, if required, the first respondent may issue notice to the petitioner and after hearing out the petitioner, pass necessary orders, at any rate on or before 13.03.2023.

8. The Writ petition stands disposed of. No costs.

01.03.2023

Index: Yes/no
mrn

3/5



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To

1.The District Collector
Dharmapuri District

2.The Block Development Officer
Eriyur Panchayat Union,
Dharmapuri District

3.The Chairman
Eriyur Panchayat Union
Dharmapuri District



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C.V.KARTHIKEYAN, J.
(mrn)

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