



WP No.20867 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-03-2023

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

**WP No.20867 of 2016**

**And**

**WPMP Nos.17879 and 17880 of 2016**

Chettypetty Fishermen Cooperative Society (F.M.R.19),  
Chettypetty (PO), Arasiramani Village,  
Sankgiri (TK),  
Salem District

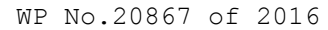
Represented by its President R.Ramachandran. .. Petitioner

VS.

1.The District Collector,  
Salem District.

2.The Assistant Director of Fisheries,  
Salem District.

3.The Executive Engineer,  
Public Works Department,  
Mettur Taluk,  
Salem District.



.. Respondents

For Petitioner : Mr.R.S.Anandan



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Gandhi,



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For Respondents

: Mr.V.Arun,  
Additional Advocate General  
Assisted by Mr.P.Sanjay

Government Advocate.

### **ORDER**

The auction notice dated 08.06.2016 issued by the fourth respondent-Executive Officer, Salem District is under challenge in the present writ petition.

2. The petitioner-Chettypetty Fishermen Cooperative Society is a Society registered under the provisions of the Tamil Nadu Cooperative Societies Act.

3. The learned counsel for the petitioner states that fishing rights with respect to the Tanks vested in the Public Works Department are governed by the Board Standing Order 211 and G.O.Ms.No.332, Animal Husbandry Fisheries Department, dated 17.11.1993.



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4. As far as the Tanks, which are vested in the Municipalities and the Panchayats concerned, the disposal of fishing rights are governed by the Rules framed under the Municipalities Act and Panchayats Act respectively.

5. The grievance of the writ petitioner is that an auction notice was issued on 08.06.2016. However, the cause aroused for filing of the present writ petition based on the auction notice became irrelevant on account of efflux of time, since the period of fishing rights to be awarded pursuant to the impugned auction notice also expired.

6. The policy underwent changes and the Government has to conduct auction in respect of grant of fishing rights across the State of Tamil Nadu in Eri, Pond etc., Water Bodies are categorised by the Government and accordingly, decisions are taken to grant fishing rights through public auction with a view to protect the Government Revenue.



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7. This being the factum, the petitioner, being the Cooperative Society, has to apply whenever a Notification has been issued by the Competent Authorities for grant of fishing rights in accordance with the procedures contemplated.

8. The learned Additional Advocate General, appearing on behalf of the respondents, made a submission that the Water Tanks are now categorised by the Government and accordingly, decisions are taken for granting fishing rights.

9. Thus the petitioner is at liberty to participate in the public auction, if any, notified for the purpose of securing fishing rights in the manner known to law.

10. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected



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miscellaneous petitions are closed.

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**10-03-2023**

Speaking Order/Non-Speaking Order.

Neutral Citation : Yes/No.

Internet : Yes/No.

Index: Yes/No.

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To

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- 1.The District Collector,  
Salem District.
- 2.The Assistant Director of Fisheries,  
Salem District.
- 3.The Executive Engineer,  
Public Works Department,  
Mettur Taluk,  
Salem District.
- 4.The Executive Officer,  
Arasiramani Town Panchayat,  
Arasiramani Village,  
Kullampatti (Post),  
Sankari (Taluk),  
Salem District Pin.637 101.



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**S.M.SUBRAMANIAM, J.**

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