



WEB COPY



W.P.No.8183 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.8183 of 2023

and

W.M.P.No.8410 of 2023

K.Jayaraman

... Petitioner

Vs.

- 1.State of Tamil Nadu,
rep. by the Principal Secretary to Government,
Public Works Department (W.R.O.),
Secretariat,
Chennai – 600 009.
- 2.The District Collector,
Kallakurichi District,
Kallakurichi – 606 202.
- 3.The Executive Engineer,
Public Works Department (W.R.O.),
Vellar Basin,
Vridhachalam,
Cuddalore District.
- 4.The Assistant Executive Engineer,
Public Works Department (W.R.O.),
Vellar Sub-Basin,
Kallakurichi – 606 602.



W.P.No.8183 of 2023

5.The Tahsildar,
Sankarapuram Taluk,
Sankarapuram – 606 401.

6.The Assistant Engineer,
Public Works Department,
Irrigation Section,
Sankarapuram,
Kallakurichi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the public auction notification issued by the 6th respondent made in No.Nil dated 28.02.2023 and quash the same for which the petitioner has made a representation dated 06.03.2023 and further direct the 6th respondent to distribute the Thiagarajapuram Lake Water to the petitioner's agricultural land.

For Petitioner : Mr.R.Malaichamy

For Respondents : Mr.K.M.D.Muhilan
Additional Government Pleader

ORDER

The Writ Petition has been filed seeking for a Writ of Certiorarified Mandamus, to call for the records pertaining to the public auction notification issued by the sixth respondent made in No.Nil dated 28.02.2023 and quash the same for which the petitioner has made a



W.P.No.8183 of 2023

representation dated 06.03.2023 and further, to direct the sixth respondent to distribute the Thiagarajapuram Lake Water to the petitioner's agricultural land.

2. The case of the petitioners is that the petitioner is the resident of Thiagarajapuram Village and doing agriculture in the land situated in and around Thiagarajapuram Village Lake. Aggrieved by the public auction notification issued by the sixth respondent for fishing, dated 28.02.2023, the present writ petition is filed.

3. The learned counsel for the petitioners would submit that the writ petition is filed solely on the ground that, if the fishing rights of the said lake is granted through public auction, the successful bidder will not release the water to the agriculturalists for irrigation. Hence, he prays for appropriate directions.

4. The learned Additional Government Pleader appearing for the respondents would submit that public auction was conducted for the fishing rights of the said lake. However, the auction was not confirmed to



W.P.No.8183 of 2023

the successful bidder as per the orders of this Court dated 15.03.2023.

Further, the public auction was conducted only in terms of G.O.Ms.No.201 (Animal Husbandry, Dairying and Fisheries (FS-6) Department), dated 19.10.2017 and the water will not be stopped by the auction purchaser or by the Government or by the Public Works Department and the water will be released to all the agriculturalists without any break. Accordingly, he prays for dismissal of the writ petition.

5. Recording the above submissions made by the learned Additional Government Pleader, this writ petition is disposed of with a direction to the respondents and the successful bidder not to disturb the flow of water to the agricultural lands, which are using the Thiyagarajapuram Lake water. No costs. Consequently, the connected miscellaneous petition is closed.

20.03.2023
(4/4)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



W.P.No.8183 of 2023

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M.DHANDAPANI, J.

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