



WEB COPY



W.P.No.20101 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

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MR.JUSTICE N.SESHASAYEE

W.P.No.20101 of 2023

M/s.FMR 2 Krishnagiri Parvadharajakula
Fishermen Co-operative Society
Rep. by its President Mr.Guganathan
D.No.18B/20D, Mohanrao Colony
2nd Cross Street
Krishnagiri District 635 001

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary
Department of Fisheries and Animal Husbandry
Fort St. George
Chennai 600 009

2.The Director of Fisheries
Directorate of Fisheries
Integrated Animal Husbandry and Fisheries Building
Nandanam, Chennai 600 035

3.The Commissioner of Fisheries
Tamil Nadu Development of Fisheries and Fishermen Welfare
Integrated Animal Husbandry and Fisheries Building
Nandanam, Chennai 600 035

4.The District Collector
Krishnagiri District

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the respondents to grant one year extension of leasehold fishery rights in Krishnagiri Reservoir, Krishnagiri District to our based on the committee meeting recommendation dated 23.10.2020 in the head of 2nd respondent considering the representation dated 10.02.2021.

For Petitioner : Mr.S.R.Rajagopal, Senior Counsel
Assisted by Mr.S.Tamilselvan

For Respondents : Mr.C.Kathiravan
Spl. Govt. Pleader for R1 to R4

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has applied for an extension of his fishing lease granted by the 2nd respondent for fishing in K.R.P Dam, Krishnagiri. The learned counsel for the petitioner submitted that the petitioner was given lease for fishing in the said reservoir from 04.12.2018 to 03.12.2023, for a period of five years.



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3.This Court is informed that during COVID lock down between 25.03.2020 and for a substantial period in 2021, fishing could not be carried out. This apart, the reservoir needs to be maintained. According to the petitioner, ordinarily and ideally fishing could be carried out between 25 feet and 53 feet and since water level has gone below 25 feet owing to the maintenance work of the reservoir, the intended purpose of the lease got frustrated. It is in these circumstances, the petitioner has applied to the 2nd respondent for extension of lease beyond the originally stipulated 03.12.2023. The learned counsel also brought to the notice of this Court the recommendations of the 2nd respondent made to the 1st respondent about certain exemption in payment of annual lease amount.

4.Mr.C.Kathiravan, the learned Special Government Pleader takes notice for all the respondents. The learned Special Government Pleader doubted if the representation at all has been given.

5.The petitioner is now directed to give a fresh representation with all material particulars both to respondents 1 and 2 within a period of 15 days



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from today and these respondents would take a call on the same within a period of eight weeks next thereafter. If a personal enquiry is required, these respondents are required to extend the same to the petitioner.

6.The writ petition is accordingly disposed of. No costs.

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Index : Yes / No

Neutral Citation : Yes / No

To

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