



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 150 of 2023

Aranganathan

... Petitioner

..Vs..

1. The Commissioner of Fisheries
3rd Floor, Integrated Animal Husbandry
and Fisheries Building, 3rd Floor,
Nandanam, Chennai – 600 035.
2. The Regional Deputy Director
Fisheries and Fishermen Welfare Department
1st Floor, Old District Collector's Office
Manjakuppam, Cuddalore.
3. Assistant Director of Fisheries
Fisheries and Fishermen Welfare Department
Parangipettai (Cuddalore District)
4. K.Pachaimuthu
5. V.Karuppasamy
6. S.Pattathal
7. S.Valarmathi



8. P.Ganesan

9. P.Karuppaiah

10. M.Sinnadurai

11. E 2128 Tittagudi Inland Fisherman
Co-operative Society
Represented by its President, Thiru.K.Pachamuthu,
No.2/42, North Street,
Melivanrm
Keelachuravai (Post) Tittagudi (Taluk)
Cuddalore District -606 106.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents 1 to 3 to consider the representation of the petitioner dated 30.08.2022.

For Petitioner :: Mr. K.Vishal
for M/s. P.Wilson Associates

For RR 1 to 3 & 11 :: Mr.V.Arun
Additional Advocate General
for Mr.K.Suresh
Government Advocate

For RR 4 to 10 :: Mr. C.Vigneshwaran
Assisted by
Mr.P.Manoj Kumar &
P.Vasantha Kumar

**ORDER**

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This Writ Petition has been in the nature of Mandamus seeking a direction to the respondents 1 to 3, the Commissioner of Fisheries, Regional Deputy Director, Fisheries and Fishermen Welfare Department and Assistant Director of Fisheries, Parangipettai, Cuddalore District, to consider a representation given by the petitioner on 30.08.2022.

2. In the affidavit filed, the petitioner Aranganathan, son of Poomalai, Member of Tittagudi Inland Fishermen Society at Perumalai, Cuddalore District, had stated that he had been authorised by the other members of the Society to file the present Writ Petition. He and the other members are fishermen, who are engaged in regular activities of fishing and selling fish in Tittagudi, Cuddalore District. The society had been functioning from the year 1959. It had also been stated that pursuant to an order dated 26.06.2020, the Deputy Director of Fisheries had granted lease and Lease Deed had been entered into on 10.07.2020 between the Co-operative Society and the Regional Deputy Director of Fisheries. This deed was also registered as Document No. 1295 of 2020 on 10.07.2020 by the Sub Registrar Officer, Thittagudi.



3. Let me not enter into any discussion about various terms of the Lease Deed but suffice to state that the second respondent had issued a show cause notice on 28.03.2022 to the respondents 4 to 10 to remove them permanently for acting contrary to the interests of the society.

4. It is thus seen that there had been interse quarrel among the members of the petitioner's society. In this connection, the petitioner had given a representation on 30.08.2022.

5. The learned Additional Advocate General had drawn attention to the said representation which had been enclosed as a copy in the present Writ Petition and it is the contention of the learned Additional Advocate General that the respondents would follow the procedure as established by law and examine the representation and issue notice to the petitioner and to anybody else who is either directly or indirectly connected and who would necessarily have to be heard. In this connection, it would be only be advisable that more importantly, the fifth respondent is also heard prior to passing any order by the second respondent, namely, the Regional Deputy Director, Fisheries and Fishermen Welfare Department, Manjakuppam,



Cuddalore. The said second respondent may enter into a discussion with the petitioner, respondent Nos. 5 to 10 and any other person, who are required to be heard and thereafter follow the principles of natural justice, afford them opportunity of forwarding representation, hear them and pass orders on or before 17.03.2023.

6. With the above said observation, this Writ Petition stands disposed of. No order as to costs.

03.02.2023

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

1. The Commissioner of Fisheries
3rd Floor, Integrated Animal Husbandry
and Fisheries Building, 3rd Floor,
Nandanam, Chennai – 600 035.
2. The Regional Deputy Director
Fisheries and Fishermen Welfare Department
1st Floor, Old District Collector's Office
Manjakuppam, Cuddalore.



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C.V.KARTHIKEYAN, J.,

vsg

3. Assistant Director of Fisheries
Fisheries and Fishermen Welfare Department
Parangipettai (Cuddalore District)

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