



W.P(MD)No.192 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.192 of 2022

K.Sathishkumar

... Petitioner

Vs.

1.The Executive Engineer
Public Works Department (WRO),
Upper Vaippar Basin Division,
Rajapalayam,
Virudhunagar District.

2.The Assistant Executive Engineer,
Public Works Department (WRO),
Upper Vaippar Basin Section,
Sankarankovil Sub Division,
Tenkasi District.

3.The Assistant Engineer,
Public Works Department (WRO),
Upper Vaippar Basin Section,
Sivagiri Circle,
Sankarankovil Sub Division,
Tenkasi District.

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner, dated 15.12.2021 as per the G.O.Ms.No.332 (Animal and Fisheries (F.D.S.IV) Department, dated 17.11.1993 to extend the lease period for this Fasali year 1432 (2022-2023) and grant fishing right to the Muthur Kanmai at Rayagiri Village, Sivagiri Taluk, Tenkasi District, based on the petitioner's representation, dated 15.12.2021.

For Petitioner : Mr.S.P.Veerapandi

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking for a direction to consider the representation given by the petitioner on 15.12.2021 and extend the period of lease for fishery rights to the petitioner herein at Muthur Kanmai, Rayagiri Village, Sivagiri Taluk, Tenkasi District



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2. In the affidavit filed in support of the writ petition, it has been stated that the petitioner, K.Sathishkumar S/o.Karuppasamy had been granted a lease after being declared as a successful bidder in the auction conducted for fishing rights in Muthur Kanmai Tank at Rayagiri Village, Sivagiri Taluk, Tenkasi District. This tank is under the control of the second respondent / Assistant Executive Engineer, Public Works Department (WRO), Upper Vaippar Basin Section, Sankarankovil Sub Division, Tenkasi District. The lease period had expired in January 2022.

3. The respondents now intend to auction the fishing rights. The petitioner has filed a representation seeking extension of lease. That extension cannot be granted. The fishery rights will have to be auctioned. The petitioner always has every right to participate in the auction. A direction is given to the respondents to therefore proceed further with the auction of the fishery rights for aforementioned Muthur Kanmai at Rayagiri Village, Sivagiri Taluk, Tenkasi District, in accordance with rules and regulations. The petitioner may also participate, if he so



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intends. There cannot be any extension of lease granted to the petitioner herein.

4. With the above direction, the writ petition stands disposed of. No costs.

07.03.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
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C.V.KARTHIKEYAN, J.

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