



W.P.(MD).No.12424 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.12424 of 2023

and

W.M.P.(MD).Nos.10529 and 10530 of 2023

S.Mariappan

... Petitioner

Vs.

1.The Executive Engineer,
Water Resource Organization/
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.

2.The Assistant Engineer,
Water Resource Organization/
Public Works Department,
Mel Vaippar Basin Sub-Division,
Krishnankovil Section,
Srivilliputhur- 626 125,
Virudhunagar District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to extend the fishery rights lease for further period of two years as per G.O.(Ms) No.332 Animal Husbandry and Fisheries (FS-IV) Department dated 17.11.1993



W.P.(MD).No.12424 of 2023

and to receive the enhanced 10% lease amount from the past year lease amount from the petitioner, for renewal of fishery rights for the pasali year 2023-2024 and 2024-2025 in respect of Ilanthaikulam Tank, Ilanthaikulam Village, Watrap Taluk, Virudhunagar District is concerned.

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. Originally, the fishery rights lease was granted to the petitioner for a period of four months commencing from 23.02.2021. According to the respondents, the lease was not thereafter extended. The learned counsel for the petitioner herein would submit that the petitioner had made some investments on the presumption that his lease would be extended. In this connection, he has also made a representation to the respondents on 06.09.2022 seeking for extension of lease.



W.P.(MD).No.12424 of 2023

3. This Court is of the view that since the lease had already expired after four months from 23.02.2021, the present prayer may not require consideration.

Rather the ends of justice could be secured, if the respondents are directed to consider the petitioner's representation. Accordingly, there shall be a direction to the respondents herein to consider the petitioner's representation dated 06.09.2022 on its own merits and pass appropriate orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



W.P.(MD).No.12424 of 2023

To

WEB COPY

1. The Executive Engineer,
Water Resource Organization/
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam Post - 626 117,
Virudhunagar District.

2. The Assistant Engineer,
Water Resource Organization/
Public Works Department,
Mel Vaippar Basin Sub-Division,
Krishnankovil Section,
Srivilliputhur - 626 125,
Virudhunagar District.



WEB COPY



W.P.(MD).No.12424 of 2023

M.S.RAMESH, J.

Lm

W.P.(MD).No.12424 of 2023

25.05.2023