



W.P(MD)No.15224 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P(MD)No.15224 of 2023
and
W.M.P(MD)No.12830 of 2023**

Fisherman Care,
Registered Association,
Bearing S.L.No.386/2010,
Rep by its President,
L.T.A. Peter Rayan,
No.6, Nagalakshmi Salai,
Tiruchandur Nagar,
Old Pallavararam,
Chennai-600 117.

... Petitioner

vs.

1. Union of India,
Rep by the Secretary,
Ministry of Law and Justice,
New Delhi.

2. The Secretary,
Ministry of External Affairs,
Government of India,
New Delhi-110 001.

3. State of Tamil Nadu,
Secretary to Government,
Department of Animal Husbandry,
Dairying and Fisheries Department,
Fort St.George,
Chennai-600 009.

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd respondent to take diplomatic steps to release the 22 fishermen arrested by the Sri Lankan Navy while they were fishing in the historic waters between India and Sri Lanka and consequently direct the 1st and 2nd respondents to take diplomatic steps to terminate the 1974 Agreement between Sri Lanka and India on the boundary of historic waters between the two countries and related matters entered on 26th and 28th of June 1974 and retrieve Katchatheevu which was illegally ceded to Sri Lanka.

For Petitioner	: No appearance
For R1 & R2	: Mr.K.Govindarajan Deputy Solicitor General of India
For R3	: Mr.P.Thilakkumar Government Pleader

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.K.Govindarajan, learned Deputy Solicitor General of India appearing for respondent Nos.1 and 2 and Mr.P.Thilakkumar, learned Government Pleader appearing for respondent No.3. None appears for the petitioner.

2. It is submitted that 22 fishermen who are the subject matter of the writ petition, have been released on 14.07.2023.



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3. The petitioner also seeks further relief, that is, to direct the respondent Nos.1 and 2 to take diplomatic steps to terminate the 1974 Agreement between Sri Lanka and India on the boundary of historic waters between the two countries and related matters entered on 26th and 28th of June 1974 and retrieve Katchatheevu which was illegally ceded to Sri Lanka.

4. The said prayer is *qua* the policy decision to be taken by the Government at the Centre. It would not be possible to issue such direction in the present matter. It is for the Government at the Centre to consider the issue.

5. With these observations, the Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

[S.V.G., C.J.]

[C.K., J.]

31.08.2023

Index : Yes / No
Neutral Citation : Yes / No
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To

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New Delhi.

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3. The Secretary to Government,
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THE HONOURABLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

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