



WP (MD) No.17772 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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CB.Sitrarasu

... Petitioner

Vs

The Assistant Director,
Department of Fisheries and Fishermen Welfare,
Petchiamman Padithurai,
Simmakkal, Madurai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondent to provide six months relaxation to pay the 3rd year lease money for fishing at Vadakarai and Thenkarai tanks situated at Solavanthan village by considering the petitioner's representation dated 06.07.2023

For petitioner : Mr.S.Malaikani

For Respondents : Ms.D.Farjana Ghousia,
Special Government Pleader



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ORDER

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The petitioner is the licensee for fishing in Vadakarai and Thenkarai tanks situated in Solavanthan Village for the year 2021 - 2022 to 2023 – 2024. The petitioner has approached the respondents seeking time to pay the lease amount for the 3rd year. Since his request has not been considered by the respondent, this writ petition is filed.

2.The learned Counsel for the petitioner submits that the petitioner has been awarded with the lease for fishing in the tanks for the years 2021-2022 to 2023-2024. The Fasali year is 1st July to 30th June. However, the tank was handed over to him only in the month of December 2021 and therefore, the petitioner could not get sufficient income from the 1st fasali year. For the 2nd fasalil year there was no water in the tank and therefore, he could not get any income for the 2nd year lease also. Therefore, the petitioner seeks six more months time to pay the lease amount for the 3rd year.

3.The learned Special Government Pleader appearing for the respondents by referring to condition Nos.7, 8 and 9 of the agreement entered into between the



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petitioner and the respondent Department, dated 01.12.2021 submits that the time for payment of the lease amount will not be extended under any circumstances and if the licensee fails to pay the lease amount within the time stipulated, the lease would be cancelled.

4.Perusal of the agreement entered into between the petitioner and the respondent Department, dated 01.12.2021 shows that there are specific conditions with regard to the payment of the lease amount every year and having agreed to the those conditions, the petitioner is not entitled for the relief of extension of time, therefore, this writ petition is dismissed. No costs

26.07.2023

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

dsk

To

The Assistant Director,
Department of Fisheries and Fishermen Welfare,
Petchiamman Padithurai,
Simmakkal, Madurai.



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B.PUGALENDHI, J.

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