



W.P.(MD)No.22559 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.11.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.22559 of 2021

and

W.M.P.(MD)No.19084 of 2021

Samivel Padyatchi

... Petitioner

vs.

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Block Development Officer,
Kumbakonam Panchayat Union,
Kumbakonam Taluk, Thanjavur District.

3.The President,
Kumarankudi Panchayat,
Kovilacherry Post, Kumbakonam Taluk,
Thanjavur District.

4.Sankar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to forbear the respondents from claiming right of any kind including fishery right and in the petitioner's own tank located in Acre 1 Cents 72 out of Acre 2 Cents 72 in Natham Survey Number 207/2 at Kumarankudi Village, Kumbakonam Taluk,



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Thanjavur District by considering petitioner's representation dated 07.04.2021.

For Petitioner :Mr.S.R.Anbarasu
For R1 to R3 :Mr.B.Saravanan
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the respondents, particularly, the third respondent from claiming any right including fishery right in the tank that is situated in the subject property by considering the representation made by the petitioner on 07.04.2021.

2.The grievance of the petitioner is that the property measuring an extent of 1 acre 72 cents contains a tank, in which, the petitioner is having fishery right. According to the petitioner, this right is borne out by a title deed dated 08.03.1953. That apart, separate certificates were also issued by the Village Administrative Officer confirming that the petitioner has the fishery right in the tank. It is alleged that the President of the third respondent Panchayat was attempting to auction the fishery right by disregarding the rights of the petitioner. Hence, the petitioner



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made a representation in this regard on 07.04.2021 to the official respondents. Since the same was not considered, the present Writ Petition has been filed before this Court.

3.The learned Additional Government Pleader appearing on behalf of the respondents 1 to 3 submitted that the representation made by the petitioner has been considered by taking into consideration all the relevant records and that a response will be given to the petitioner by the second respondent within the time frame fixed by this Court.

4.Taking into consideration the facts and circumstance of the case and also the fact that the representation made by the petitioner has already been considered, there shall be a direction to the second respondent to respond to the representation made by the petitioner on 07.04.2021 within a period of four weeks from the date of receipt of a copy of this order.



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5.This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

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

28.11.2023

cmr

To

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Block Development Officer,
Kumbakonam Panchayat Union,
Kumbakonam Taluk, Thanjavur District.



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N.ANAND VENKATESH, J.

cmr

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