



W.P(MD)No.23026 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23026 of 2023

and

W.M.P.(MD)Nos.19218 & 21298 of 2023

Kaleeswaran

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram.
- 3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.
- 4.G.Ravi
- 5.The President,
Nagaram Village Panchayat,
Paramakudi Taluk,
Ramanathapuram District.
- 6.The Divisional Engineer,
Public Works Department,
Travellers Bungalow,
Near Old Bus Stand,
Ramanathapuram.
- 7.The Executive Engineer,



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Public Works Department,
Thevar Nagar,
Madurai to Rameswaram Road,
Paramakudi,
Ramanathapuram District.

8.Eganathan

... 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 1 to 3 or the respondents 6 and 7 to conduct a fresh auction in respect of fishery rights in the tank in Survey Nos. 225 and 226 in Nagaram Village, Paramakudi Taluk, Ramanathapuram District by following the provisions of the Tamil Nadu Transparency in Tenders Act, 1998 by issuing public auction notification and consequently forbearing the eighth respondent from catching the fish in the subject tank.

For Petitioner : Mr.T.R.Jeyapalam

For Respondents : Mr.M.Prakash
Additional Government Pleader for R1 to R3
and R5 to R7
: Mr.Yasar Arafath for R4
: Mr.V.Karthikraja
for M/s.Ajmal Associates for R8

ORDER

Heard both sides.

2. The petitioner claims to represent the villagers of Nagaram. He questions the award of fishery license in favour of the 8th respondent. The petition mentioned tank admittedly belongs to the public works



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department. The allegation of the petitioner is that the Tahsildar, Paramakudi had unauthorisedly granted license in favour of the 8th respondent. Certain other allegations have been made. Those allegations are controverted by the 8th respondent in the affidavit filed in support of W.M.P.(MD)No.21298 of 2023.

3. I need not go into the merits of the issue because the petitioner has come forward to pay a sum of Rs.1,00,000/- as against the bid amount of Rs.10,000/- made by the 8th respondent. It is beyond dispute that in such matters, the only object must be to maximize public revenue. No other consideration is relevant. The 8th respondent Thiru.Eganathan is present in person before this Court. I wanted to know from Eganathan if he is ready for a competitive bidding in my presence. The 8th respondent made it clear that he is not interested in participating any such competitive bidding. Fortunately, the 8th respondent has not taken possession. He has not made investment in pursuant to the impugned proceedings. The petitioner has paid a sum of Rs.12,500/- directly to the 8th respondent. The 8th respondent also acknowledges the receipt of the same. The 8th respondent is now out of the picture. Since the petitioner has directly settled the 8th respondent, the department need not make any reimbursement to the 8th respondent. The petitioner's bid amount is taken as Rs.1,00,000/- for first year. The balance amount of Rs.87,500/- shall be paid by the petitioner directly to the Tahsildar,



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Paramakudi. License proceedings will be issued in favour of the petitioner immediately thereafter.

4. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

16.10.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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