



WEB COPY



W.P.No.4145 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.02.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.4145 of 2024

Mr.V.Guganathan

... Petitioner

Vs

- 1.The Assistant Director of Fisheries,
Tamil Nadu Department of Fisheries,
Krishnagiri District – 635 001.
2. The Special Officer,
M/s.FMR 2 Krishnagiri Parvadarajakula
Fishermen Cooperative Society,
Krishnagiri District – 635 001.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant 6 months time to pay the balance of Rs.89,16,567.15 of profit payable to society arising out of lease deed dated 04.12.2018 claimed in letter dated 15.02.2024 in KRP Dam, Krishnagiri reservoir, Krishnagiri District in 3 installment in pursuance of the representation dated 15.02.2024.



W.P.No.4145 of 2024

For Petitioner : Mr.S.R.Rajagopal
Senior counsel
for Mr.S.Tamilselvan

For Respondents: Mr.G.Nanmaran
Special Government Pleader

ORDER

Mr.G.Nanmaran, learned Special Government Pleader accepts notice for the respondents and is armed with instructions to enable a final and purposeful disposal of this Writ Petition, even at the stage of admission.

2. The petitioner seeks a mandamus directing the respondents to grant him an extension of time to pay the balance amount towards fishing rights in KRP Dam, Krishnagiri reservoir, Krishnagiri District in 3 instalments.

3. He has made a representation dated 15.02.2024 before R2/The Special Officer, FMR 2 Krishnagiri Parvadarajakula Fishermen Cooperative Society, Krishnagiri in this regard.

4. Mr.Nanmaran would point out that by order dated 15.02.2024, i.e., on the same day, the petitioner has been asked to remit the balance amount which has been quantified at a sum of Rs.89,16,567.15.

5. There is no dispute on the quantification of the balance remaining to be paid and Mr.S.R.Rajagopal, learned Senior Counsel for the petitioner would



W.P.No.4145 of 2024

accede to the amount being correctly fixed at Rs.89,16,567.15 (in short 'arrear').

6. The only relief sought for is that the petitioner may be permitted to pay the arrears in instalments rather than in one lumpsum. Mr.Nanmaran would state that the aforesaid arrears are pending for the last five years.

7. In the considered opinion of the Court, the decision in regard to the instalment facility sought for falls solely within the realm of the respondents and it is not for this Court to direct the respondents.

8. Thus, let R2 shall take a view in regard to the request of the petitioner for grant of instalment facility, for which purpose, the petitioner is permitted to appear before R2 on 23.02.2024 at 10.30.a.m. without awaiting any further notice in this regard. R2 will hear the petitioner and dispose representation dated 15.02.2024 in regard to the grant of instalments, on merits and in accordance with law and all applicable Rules and Regulations, within a period of one week, i.e., on or before 04.03.2024.

9. This Writ Petition is disposed in terms of this order. No costs.

20.02.2024

Index : Yes / No

Speaking order

Neutral citations:Yes

sl



WEB COPY



W.P.No.4145 of 2024

Dr.ANITA SUMANTH,J.

Sl

To

- 1.The Assistant Director of Fisheries,
Tamil Nadu Department of Fisheries,
Krishnagiri District – 635 001.
2. The Special Officer,
M/s.FMR 2 Krishnagiri Parvadarajakula
Fishermen Cooperative Society,
Krishnagiri District – 635 001.

W.P.No.4145 of 2024

20.02.2024