



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.06.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.16717 of 2024

Navaneethakannan

... Petitioner

Vs

- 1.The District Collector,
Salem District.
- 2.The Assistant Director of Fisheries,
Salem District.
- 3.The Executive Engineer,
Public Works Department, Mettur Dam Division,
Mettur Dam, Mettur Taluk, Salem District.
- 4.The Assistant Engineer (Water Resource Organization),
Mettur Canal Division, Kullampatti,
Salem District.
- 5.The Executive Officer,
Arasiramani Town Panchayat,
Arasiramani Village,
Kullampatti (Post), Sankari (Taluk),
Salem District.
- 6.Cauvery,
President, Arasiramani Town Panchayat,
Arasiramani Village,
Kullampatti (Post), Sankari (Taluk),
Salem District.

7.K.Shanmugam

.... Respondents



PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 3 and 4 to consider the representation of the petitioner herein dated 22.04.2024 issued by the petitioner not allow the respondents 5 and 6 to proceed with tender process for fishing rights over the Kullampatti Tank which is under the jurisdiction of the 5th respondent.

For Petitioner : Ms.D.Jeevitha

For Respondents : Mr.P.Harish (R1 to R5)
Government Advocate

ORDER

Mr.P.Harish, learned Government Advocate accepts notice for R1 to R5 and is armed with instructions to enable a final disposal of this Writ Petition, even at the stage of admission.

2. The case of the petitioner is that he is a resident of Arasiramani Village and holds agricultural lands therein. The village houses a public tank by the name Kullampatti Tank in S.F.No.298, which is under the control of the official respondents.

3. There is a dispute in the fishing rights relating to that tank. The allegation of the petitioner is that R6 who is a private individual has been assigning fishing rights to that tank without any authority of law. Hence, this Writ Petition seeking intervention of the official respondents to correct the illegal acts of the private respondent.



4. I have not issued notice to the private respondent, arrayed as R6, since the facts that have been set out in the Writ Petition are matters to be looked into by the official respondents.

5. Hence, mandamus is issued to R1, being the District Collector, Salem District, to hear the petitioner as well as R6 and any others in the vicinity, take inputs from all other official respondents to obtain a clear picture of the matter and thereafter take a view on the grievance expressed by the petitioner in representation dated 22.04.2024 and dispose the same in accordance with law and all applicable Rules and Regulations, expeditiously, in any event not beyond six (6) weeks from date of receipt of a copy of this order.

6. This Writ Petition is disposed as above. No costs.

27.06.2024

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes

To

1.The District Collector,
Salem District.

2.The Assistant Director of Fisheries,
Salem District.

3.The Executive Engineer,
Public Works Department, Mettur Dam Division,
Mettur Dam, Mettur Taluk, Salem District.



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4.The Assistant Engineer (Water Resource Organization),
Mettur Canal Division, Kullampatti,
Salem District.

5.The Executive Officer,
Arasiramani Town Panchayat,
Arasiramani Village,
Kullampatti (Post), Sankari (Taluk),
Salem District.

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