



W.P.No.16791 and 16792 of 2024

M.DHANDAPANI, J.

This matter is listed under the caption “For Being Mentioned” at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that this Court, by an order dated 14.08.2024, disposed the writ Petitions and there is a typographical error mentioned in the 8th paragraph, fourth line, this Court directed the third respondent to conduct public auction instead of directing the respondents 1 & 2. Therefore, the learned counsel prays to make necessary corrections and to issue fresh order copy.

3. In view of the above submission made by the learned counsel for the petitioner, this Court is inclined to modify the same as follows:

"8. The issued involved in the present case is squarely covered by the earlier order in W.P.No.6819 of 2023 passed by this Court dated 21.06.2023. Considering the facts and circumstances of the case, this Court directs the respondents 1 and 2 to conduct public auction and conclude the same strictly in terms of the order passed by this Court in W.P.No.6819 of 2023 dated 21.06.2023."

4. Except the above modification, remaining portion of the order dated 19.08.2024 shall stand unaltered.

M.DHANDAPANI, J.



5. Registry is directed to carry out the necessary correction as aforesaid in the order dated 14.08.2024 and issue fresh copy of the order to the learned counsel for the parties.

04.10.2024

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W.P.No.16791 and 16792 of 2024



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2024

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.16791 and 16792 of 2024
and WMP. Nos.18995 & 18996 of 2024

S.Manonmani ... Petitioner in W.P.no.16791 of 2024

G.Mallika ... Petitioner in W.P.No.16792 of 2024

Vs.

1. The Assistant Director of Fisheries,
Inland Fisheries, Vellore.

2. The Executive Engineer,
Public Works Department (WRO)
Central Pannayaru Basin Division,
Tiruvannamalai-606 603.

.... Respondents 1 & 2 in both the writ petitions

3. The Special Officer,
FCV – 47, Sathanur Dam Pangu,
Inland Fisherman Women Cooperative Society,
Sathanur Dam Road, Malligapuram,
Sathanur Dam Post, Tiruvannamalai District.

... 3rd respondent in W.P.No.16791 of 2024

3. The Special Officer,
FCE – 24, Thenpallipattu Paruvatha Rajakula,
Inland Fisherman Women Cooperative Society,
Thenpallipattu, Kalasapakkam Taluk,
Tiruvannamalai District.

... 3rd respondent in W.P.No.16792 of 2024

4. M/s. FCE – 28 Chengam Fisherman Cooperative Society,



Durgai Amman Koil Street, Chengam,

Tiruvannamalai District,

Represented by its President,

Mr.M.Pandian.

...4th Respondent in both the writ petitions

(4th respondent impleaded by this Court

vide order dated 14.08.2024 in WMP.Nos.

26426 & 26428 of 2024 in WP.Nos.

16791 & 16792 of 2024)

Common Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to extend the lease of fishing rights in the Senbagathoppu Reservoir for further period of three years from 01.07.2024 to the 3rd respondent Society by following the orders made in the batch of writ petitions in W.P.no.6819 of 2023 dated 21.06.2023, G.O.ms.No.332 Animal Husbandary and Fisheries (FS.IV) Department dated 17.11.1993 and RSO 211 and the representations of the petitioner dated 15.03.2024 and 09.06.2024.

For Petitioner : Mr.S.Doraiswamy (For both the petitions)

For Respondents : Mr.Yokesh Kannadasan, SGP RR1 to 3
Mr.V.Subramani for R4
(For both the petitions)

COMMON ORDER

These Writ Petitions have been filed for a direction to the respondents 1 and 2 to extend the lease of fishing rights in the Senbagathoppu Reservoir for further period of three years from 01.07.2024 to the 3rd respondent Society by following the orders made in the batch of writ petitions in W.P.No.6819 of 2023 dated 21.06.2023, G.O.Ms.No.332 Animal Husbandry and Fisheries (FS.IV)

Department dated 17.11.1993 and RSO 211 and the representations of the



petitioner dated 15.03.2024 and 09.06.2024.

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2. Today, when the matter is taken up for hearing, this Court impleaded M/s. FCE – 28 Chengam Fisherman Cooperative Society, Durgai Amman Koil Street, Chengam, Tiruvannamalai District as the 4th respondent in both the writ petitions.

3. The case of the petitioners is that the petitioners are the members of the Sathanur Dam Pangu Inland Fishermen Women Co-operative Society. The society have already filed a writ petition before this Court to extend the lease for the period of 5 years in W.P.No.19425 of 2022 and this Court passed an ordered and directing the respondents to consider the representations of the society for extension of fishing lease for its members for another period or five years from 2022 to 2023 to 2026-2027. The second respondent vide their proceedings dated 03.07.2023 extended the lease period only for two years and the same was ended on 30.06.2024. Hence, the petitioners made representations to the respondents on 15.03.2024 and 13.06.2024 to extend the lease period for further period of three years. However, no action is taken so far, the petitioners filed the present writ petitions before this Court.

4. The learned counsel for the petitioners submitted that the members have requested the 3rd respondent to take action to extend the lease period, no steps



were taken so far. Unless the lease period is extended, the members of the Society will be put to great loss and hardship. Hence, this Court may issue a direction to the 3rd respondent to consider the representations made by the petitioners and pass appropriate orders by following the orders passed by this Court in W.P.No.6819 of 2023 dated 21.06.2023.

5. The learned Special Government Pleader submitted that the extended lease period by applying the Government Order in G.O.Ms.No.332 for the fishery rights of Senbagathoppu Reservoir expired on 30.06.2024. The fresh public auction will be conducted according to common guidelines/procedures for leasing of water bodies.

6. The learned counsel for the 4th respondent submitted that as requested by the petitioners, this Court has passed an order directing the 3rd respondent to renew the lease period and the said extension period will be expired on 30.06.2024. The members of the 4th respondent are depending on the irrigation and water of the Kuppanatham Dam and therefore, this Court may direct the third respondent to conduct fresh public auction and liberty may grant to the 4th respondent to participate in the public auction.

7. Heard the learned counsel for the petitioner, the Special Government



Pleader appearing for the respondents 1 to 3 as well as the learned counsel appearing for the 4th respondent and perused the materials available on record.

8. The issued involved in the present case is squarely covered by the earlier order in W.P.No.6819 of 2023 passed by this Court dated 21.06.2023. Considering the facts and circumstances of the case, this Court directs the third respondent to conduct public auction and conclude the same strictly in terms of the order passed by this Court in W.P.No.6819 of 2023 dated 21.06.2023.

9. With the above direction, the Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.08.2024

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Note: Issue order copy on 19.08.2024

To

1. The Assistant Director of Fisheries,
Inlan Fisheries, Vellore.

2. The Executive Engineer,
Public Works Department (WRO)
Central Pannayaru Basin Division,
Tiruvannamalai-606 603.

3. The Special Officer,
FCV – 47, Sathanur Dam Pangu,



Inland Fisherman Women Cooperative Society,
Sathanur Dam Road, Malligapuram,
Sathanur Dam Post, Tiruvannamalai District.

4. The Special Officer,
FCE – 24, Thenpallipattu Paruvatha Rajakula,
Inland Fisherman Women Cooperative Society,
Thenpallipattu, Kalasapakkam Taluk,
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