



W.P.No.17355 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.17355 of 2020

and

W.M.P.Nos.21494 & 21496 of 2020

Chennai-Thiruvallur-Kanchipuram District,
Deep Sea Gillnet and Long Line Tuna,
Fishing Boat Owners Association,
Regn.No.108/2018,
Rep.by its President,
Kasimedu Fishing Harbour Complex,
Chennai -13.

... Petitioner

Vs.

1. Union of India,
Rep. by its Secretary to Government,
Ministry of Fisheries, Animal Husbandry and Dairying,
Department of Fisheries, Krishi Bhavan,
Dr.Rajendra Prasad Road, New Delhi - 110 001.

2. The Government of Tamil Nadu,
rep. by its Secretary to Government,
Department of Fisheries,
3rd floor, Integrated Animal Husbandry
and Fisheries Building,
Nandanam, Chennai - 35

3. The Fishery Survey of India,
rep. by its Director General (Fishery),
2nd floor Plot No.2A, Unit No.12,
New Fishing Harbour, Sassoon Dock,



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Colaba, Mumbai.

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4. The Central Marine Fisheries Research Institute,
rep. by its Director,
Indian Council of Agricultural Research,
Ministry of Agriculture and Farmers Welfare,
Abraham Madamakal Road, Ernakulam North,
Kochi, Kerala.

5. The Central Institute of Fisheries Technology,
rep by its Director,
CIFT Junction Willingodn Island,
Matsyapuri P.O., Cochin,
Kerala-682029.

6. The Tamil Nadu Fishermen Welfare Board (TNFWB),
Rep. by it Assistant Director,
4th Floor, Integrated Animal Husbandry
and Fisheries Building, Nandanam,
Chennai – 35.

7. The Regional Meteorological Centre,
Chennai, rep. by its Director General of Meteorology
No.50/6, College Road, Nugambakkam,
Chennai – 34.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records culminating in Notification no.30035/15/97-Fy (T-1) Vol.V dated 22.02.2018, issued by the first respondent and quash the same and direct the respondents to implement the Fishing Ban Period in Tamil Nadu from 15th October to 15th December (62 days) instead of 15th April to 14th June (61 days) to coincide with the Monsoon Season in Tamil Nadu, by virtue of Section 5(2)(b) of Tamil Nadu Marine Fishing Regulation Act,



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1983 and consequently direct the respondents 1 to 6 to provide surveillance and communication systems and insurances to all registered fishing vessels.

For Petitioner : Mr.No Appearance

For Respondents : Mr.J.Madanagopal Rao,
Senior Counsel (for R1);

Mr.P.Bala Thandayutham,
Special Government Pleader
(for R2 & R6);

Mr.D.Baskar (for R4);

No Appearance (for R3, R5 & R7).

ORDER

The present writ petition has been filed challenging the Notification No.30035/15/97-Fy (T-1) Vol.V dated 22.02.2018, issued by the first respondent, to quash the same and direct the respondents to implement the Fishing Ban Period in Tamil Nadu from 15th October to 15th December (62 days) instead of 15th April to 14th June (61 days) to coincide with the Monsoon Season in Tamil Nadu, by virtue of Section 5(2)(b) of Tamil Nadu Marine Fishing Regulation Act, 1983 and consequently, direct the respondents 1 to 6 to provide surveillance and communication systems and insurances to all registered fishing vessels.



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2. The learned Special Government Pleader appearing on behalf of the official respondents would submit that as per the orders passed by the Ministry of Agriculture and Farmers Welfare, dated 22.02.2018, the period of 61 days stipulated had expired by now. Since the period had already expired, the cause of filing the present writ petition became vanished.

3. Thus, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.01.2024

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

To

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Rep. by its Secretary to Government,
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2. The Government of Tamil Nadu,
rep. by its Secretary to Government,
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3. The Fishery Survey of India,
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