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W.P.No.28577 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.28577 of 2024

Arivazhagan

... Petitioner

Vs.

- 1.The Commissioner of Fisheries,
Nandanam, Chennai – 600 035.
- 2.The District Collector,
Thiruvannamalai District.
- 3.The Assistant Director,
Inland Fisheries, Vellore – 3.
- 4.The Executive Engineer,
Water Resource Department,
Formerly PWD Department,
Central Pannayaru Basin Division,
Thiruvannamalai – 606 603.
- 5.The Assistant Executive Engineer,
Water Resource Department,
Central Pannayaru Basin Division,
Thiruvannamalai – 606 701.
- 6.FCE – 28 Chengam Fishermen Co.operative Society,
Rep. by its President M.Pandian,
Durgaiamman Koil Street, Chengam,
Thiruvannamalai District.



W.P.No.28577 of 2024

7.FCV – 47 Sathunar Dam Pangu Inland,
Fishermen Women Co.operative Society,
Rep. by its President Manonmani,
Sathunur Dam Road, Malligapuram,
Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 5 herein to conduct auction for lease of fishing rights in respect of Kuppanatham Dam, Chengam Taluk, Thiruvannamalai District, between the Fishermen Co.operative Societies alone by following the orders of this Court dated 21.06.2023 made in W.P.No.6819 of 2023 etc batch cases and Revenue Standing Order 211 and by considering the petitioner's representations dated 05.06.2024, 08.07.2024 and 10.09.2024.

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader [R1 to R5]
Mr.V.Nanmaran [R6 & R7]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 5 to conduct auction for lease of fishing rights in respect of Kuppanatham Dam, Chengam Taluk, Thiruvannamalai District, between the Fishermen Co.operative Societies



W.P.No.28577 of 2024

alone by following the orders of this Court dated 21.06.2023 made in W.P.No.6819 of 2023 etc batch cases and Revenue Standing Order 211 and by considering the petitioner's representations dated 05.06.2024, 08.07.2024 and 10.09.2024.

2. Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 to 5 and Mr.V.Nanmaran, learned Additional Government Pleader, accepts notice on behalf of the respondents 6 and 7. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, he is the President of FC ST 56 – Thenpennai Aattrupadugai Meenavar Kooturavu Sangam and the said society was registered under Tamil Nadu Co-operative Societies Act. Apart the said society, there are two more societies available in his village, who are the respondents 6 and 7 herein. All the three societies are entitled to participate in the auction as per Revenue Standing Order 211. If more than one society is available in a village, the authority has to conduct auction in between the societies and the all the societies are



W.P.No.28577 of 2024

entitled to participate in the auction. Hence, the petitioner made representations 1 to 5 dated 05.06.2024, 08.07.2024 and 10.09.2024 before the respondents seeking permission to participate in the auction to be conducted between them. Since the same was not considered by the respondents 1 to 5, the petitioner has filed the present writ petition before this court.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents 1 to 5 to consider the petitioner's representations, dated 05.06.2024, 08.07.2024 and 10.09.2024 and pass appropriate orders in terms of Revenue Standing Order 211 and the order passed by this Court in W.P.No.6819 of 2023 etc batch cases, dated 21.06.2023, within a specified period.

5. Considering the limited request sought for by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the respondents 1 to 5 to consider the petitioner's representations dated 05.06.2024, 08.07.2024 and 10.09.2024 and pass appropriate orders, in terms of Revenue Standing Order 211 and the



W.P.No.28577 of 2024

order passed by this Court in W.P.No.6819 of 2023 etc batch cases, dated 21.06.2023, after providing an opportunity of personal hearing to the petitioner as well as the respondents 6 and 7, within a period of six (6) weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

25.09.2024

Index : Yes / No
Speaking order / Non-speaking order
sp

To

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Thiruvannamalai District.
- 3.The Assistant Director,
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W.P.No.28577 of 2024

M.DHANDAPANI, J.

sp

5.The Assistant Executive Engineer,
Water Resource Department,
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Thiruvannamalai – 606 701.

6.The President,
FCE – 28 Chengam Fishermen Co.operative Society,
Durgaiamman Koil Street, Chengam,
Thiruvannamalai District.

7.The President,
FCV – 47 Sathunar Dam Pangu Inland,
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