



W.P.No.32099 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32099 of 2024

1. Sathis
2. Kamalakannan ...Petitioners

Vs.

1. The Executive Engineer,  
Public Works Department (WRD),  
Melpennayaru Basin Division,  
Dharmapuri – 5.
2. The Assistant Director of Fisheries,  
(Island Fisheries),  
Krishnagiri.
3. FMR.2, Krishnagiri Paruvatha Rajakula Fishermen  
Co-operative Society,  
Krishnagiri Dam, Krishnagiri District,  
Rep. by its Special Officer. ...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus to direct the respondents to get lease of the fishing rights in the Payanapalli lake at Payanapalli, Krishnagiri District in favour of 3<sup>rd</sup> respondent society for the period of 2024-2025 to 2028-2029



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totally five years based on the representation made by the petitioners dated 10.10.2024.

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For Petitioners : Mr.V.Elangovan

For Respondents : Mr.LSM.Hasan Fizal, AGP, for R1 & R2  
: Mr.G.Velu, AGP, for R3

### **ORDER**

The petitioners have filed this Writ petition seeking direction to the respondents to lease out the Payanapalli lake in favour of 3<sup>rd</sup> respondent society for fishing for the period 2024-2025 to 2028-2029, based on the petitioners' representation dated 10.10.2024.

2. Mr.LSM.Hasan Fizal, learned Additional Government Pleader takes notice on behalf of the 1<sup>st</sup> and 2<sup>nd</sup> respondents, Mr.G.Velu, learned Additional Government Pleader takes notice on behalf of the 3<sup>rd</sup> respondent. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioners is that, they belong to Fishermen



community and are active members of the 3<sup>rd</sup> respondent society and there are nearly 1000 members in the said society and the members of the 3<sup>rd</sup> respondent society are Inland fishermen and they entirely depend upon the fishing activities carried out in and around the lakes situated under the jurisdiction of the 1<sup>st</sup> and 2<sup>nd</sup> respondents for their livelihood. The Payanapalli Lake situated at Avathanapatti Village, Krishnagiri is under the control of the 1<sup>st</sup> respondent and the above said tank was leased out to the 3<sup>rd</sup> respondent Society for fishing for a period of 5 years between 2017-2018 to 2021-2022, vide G.O.Ms.No.332, Animal Husbandry and Fisheries (F.S.IV) Department dated 17.11.1993 and the same got over by October 2022. However, thereafter, the respondents have not taken any steps to lease out the fishing rights in the said lake in favour of the 3<sup>rd</sup> respondent society. Thereby, the petitioners and other members of the said society made a representation dated 10.10.2024 before the 1<sup>st</sup> and 2<sup>nd</sup> respondents seeking to grant lease right in respect of the said lake in favour of the 3<sup>rd</sup> respondent society and their members, which evoked no response. Hence, this Writ petition.

4. Though very many grounds have been raised, the learned counsel for



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the petitioners submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioners' representation dated 10.10.2024 and to consequently, grant lease of the fishing rights in the Payanapalli lake in favour of 3<sup>rd</sup> respondent society for the period 2024-2025 to 2028-2029, as expeditiously as possible.

5. Learned Additional Government Pleader appearing on behalf of the respective respondents submitted that, appropriate orders will be passed on the petitioners' representation dated 10.10.2024 within the time stipulated by this Court.

6. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the respondents to consider the petitioners' representation dated 10.10.2024 on merits and in accordance with law and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners and aggrieved persons, if any.



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7. With the above directions, this Writ Petition stands disposed of. No costs.

**25.10.2024**  
(2/2)

skt

NCC : Yes/No  
Index : Yes/No  
Speaking Order : Yes/No

To:

1. The Executive Engineer,  
Public Works Department (WRD),  
Melpennayaru Basin Division,  
Dharmapuri – 5.
2. The Assistant Director of Fisheries,  
(Island Fisheries),  
Krishnagiri.
3. The Special Officer,  
FMR.2, Krishnagiri Paruvatha Rajakula Fishermen  
Co-operative Society,  
Krishnagiri Dam, Krishnagiri District.



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**M.DHANDAPANI, J.**

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in

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**M.DHANDAPANI, J.**

In view of amendment to the Court fee rules, this petition is allowed, subject to payment of separate Court fee, within a period of two weeks, from the date of receipt of a copy of this order, failing which this order shall be applicable only to the first petitioner.

**25.10.2024**

(<sup>1</sup>/<sub>2</sub>)

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