



WEB COPY



W.P.No.34457 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.34457 of 2024

S.Manonmani

... Petitioner

VS.

1.The Joint Director,
Fisheries and Fishermen Welfare Department (Regional),
DMS Building, Teynampet,
Chennai – 600 018.

2.The Assistant Director,
Fisheries and Fishermen Welfare Department,
No.16, 5th West Cross Street,
Gandhi Nagar West,
Vellore.

3.FCV – 47, Sathanur Dam Pangu
Inland Fishermen Women Co-Operative Society,
Sathanur Dam Road, Malligapuram,
Sathanur Dam Post,
Tiruvannamalai District,
Rep. by its Administrative Officer.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation of the petitioners dated 27.10.2024 by



W.P.No.34457 of 2024

allotting the fishing rights in the Thoosi Mamandur Lake, Seiyur Taluk, Thiruvannamalai District for the period of 5 years (2024-2025 to 2028-2029) to the 3rd respondent Society by applying G.O.M.S.No.332, Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993 and the orders passed in batch of writ petitions in W.P.No.6819 of 2023 etc., dated 21.06.2023.

For Petitioner : Mr.V.Elangovan

For R1 and R2 : Mr.G.Ameedius
Government Advocate

For R3 : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents to consider her representation dated 27.10.2024 seeking allotment of fishing rights in the Thoosi Mamandur Lake, Seiyur Taluk, Thiruvannamalai District in favour of the 3rd respondent-Society for a period of 2024-2025 to 2028-2029 by applying Government Order in G.O.Ms.No.332, Animal



W.P.No.34457 of 2024

Husbandry and Fisheries (F.S.IV) Department, dated 17.11.1993.

WEB COPY

3. It is the case of the petitioner that she is a Member of 3rd respondent-Co-operative Society. It is stated that the petitioner/Member of the 3rd respondent-Society is Inland Fishermen and she is depending on fishing activities carried in and around the lakes under the jurisdiction of the 2nd respondent. It is also stated that the petitioner is poor fishermen and there is no other income to lead her livelihood. The Thoosi Mamandur Lake is under the control of the 2nd respondent. As per the guideline issued regarding preferential rights under G.O.Ms.No.332, Animal Husbandry and Fisheries (F.S.IV) Department, dated 17.11.1993, the 3rd respondent-Society is entitled to fishing rights.

4. It is also stated that except 3rd respondent-Society, there is no other fishermen society in the locality. Therefore, it is the case of the petitioner that by applying the guideline issued under G.O.Ms.No.332, Animal Husbandry and Fisheries (F.S.IV) Department, dated 17.11.1993, the 3rd respondent-Society is entitled to lease of fishery rights for a further period of 5 years. In this regard, the petitioner/Member of the 3rd respondent-Society



W.P.No.34457 of 2024

submitted a representation before the respondents on 27.10.2024 seeking lease of fishing rights and the same has not been considered till date. Hence, the petitioner is come before this Court.

5. Mr.G.Ameedius, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.V.Jeevagiridharan, learned Additional Government Pleader takes notice for the 3rd respondent.

6. The learned Government Advocate appearing for the respondents 1 and 2 would submit that the representation submitted by the petitioner dated 27.10.2024 will be considered by the 2nd respondent on its own merits and in accordance with law, within the time fixed by this Court.

7. In view of the same, without going into the merits of the claim made by the petitioners, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 27.10.2024 in the light of G.O.Ms.No.332, Animal Husbandry and Fisheries (F.S.IV) Department, dated 17.11.1993 and pass final orders on its own merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this



W.P.No.34457 of 2024

order, after issuing necessary notice to all interested parties.

WEB COPY

8. With the above direction, the Writ Petition stands disposed of. No costs.

18.11.2024
(5/6)

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

To

1. The Joint Director,
Fisheries and Fishermen Welfare Department (Regional),
DMS Building, Teynampet,
Chennai – 600 018.

2. The Assistant Director,
Fisheries and Fishermen Welfare Department,
No.16, 5th West Cross Street,
Gandhi Nagar West,
Vellore.

3. Administrative Officer ,
FCV – 47, Sathanur Dam Pangu
Inland Fishermen Women Co-Operative Society,
Sathanur Dam Road, Malligapuram,
Sathanur Dam Post,
Tiruvannamalai District.



WEB COPY



W.P.No.34457 of 2024

S.SOUNTHAR, J.

dm

W.P.No.34457 of 2024

18.11.2024
(5/6)