



W.P.No.36307 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.36307 of 2024

AND

WMP. 39189 of 2024

A.Kifayathulla

... Petitioner

Vs

1. The Director,
Office of the Director, The Animal Husbandry and
Veterinary Services, Veterinary Multispeciality
Hospital Compound, no.571, Mount Road,
Nandanam, Chennai-35.

2. The Commissioner, The Animal Husbandry and
Veterinary Services, Veterinary Multispeciality
Hospital Compound, no.571, Mount Road,
Nandanam, Chennai-35.

3. The Zonal Joint Director,
Verterinary Services, Krishnagiri District.

4. Deputy director, District Veterinary Farm, Hosur,
Krishnagiri District.

...Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of Certiorarified Mandamus, calling for the records in connection with the order vide na.ka.no.505/a3/2021 dated 20.09.2024 on the file of the fourth respondent and quash the same and to direct the respondents herein to extend the harvest and yield period for further two years i.e. for the years 2024-2025 and 2024-2026 in favour of the petitioner.

For petitioner : Mr.S.Madhusuthanan
for M/s R.Sudhakar

For respondents : Mr.M.Jayanthi, Addl.Govt.Pleader

ORDER

This writ petition is filed challenging the order passed by the fourth respondent, rejecting the request of the petitioner for extension of licence granted to pluck tamarind fruits in the tamarind trees standing in veterinary Farm, Hosur, Krishnagiri District.

2. It is not disputed that the petitioner was granted licence to enjoy the fruits of the tamarind trees standing in the aforesaid place for three years from the 2021-2022 to 2023-2024. The said three years



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period was expired in the month of March 2024. Thereafter, the petitioner submitted a representation before the respondents stating that the yield during the licence period was very low and hence, suffered loss. Therefore, he sought for extension of licence period for the subsequent two years up to 2026. The said representation was rejected by the respondents on the ground that the licence period was already over and the respondent proposed to auction the right to pluck tamarind fruits for three years from 2024-2025 to 2026-2027. Since the petitioner's licence period was already over, he has no vested right or interest to claim extension of licence period, without participating in the open auction. Therefore, this court find no error in the impugned order passed by the fourth respondent and hence, the writ petition is liable to be dismissed.

3. Accordingly, this writ petition is dismissed. There shall be no order as to costs. It is open to the petitioner to participate in the open auction. Connected miscellaneous petition is closed.

06.12.2024.

Index : Yes / No
Internet : Yes / No
mst



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S.SOUNTHAR, J.
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