



W.P.No.35954 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated **03.12.2024**

CORAM:

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**W.P.No.35954 of 2024**

1. Kasilingam
2. Pandian
3. Muniyan
4. Subramani

... Petitioners

Vs.

- 1.The Executive Engineer,  
Public Works Department (WRO),  
Melpennayaru Basin Division,  
Dharmapuri – 5.
- 2.The Assistant Director of Fisheries,  
(Inland Fisheries),  
Krishnagiri.
- 3.FMR.1, Kaveripattinam Paruvatha Rajakula  
Fishermen Co-operative Society,  
No.59/203, Agaram Road,  
Kaveripattinam Post,  
Krishnagiri District  
Rep. By its Administrative Officer

... Respondents

**Prayer:** Writ petition filed under Article 226 of Constitution of India



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seeking for issuance of Writ of Mandamus, directing the respondents to consider and pass orders on the representation of the petitioners dated 12.11.2024 and to get lease of the fishing rights in the Devirahalli Lake, Krishnagiri District in favour of 3<sup>rd</sup> respondent society for period of 2024-2025 to 2028-2029 totally five years 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 Petitioners : Mr.V.Elangovan

For Respondents : Mrs.M.Jayanthi,  
Additional Government Pleader  
for respondents 1 and 2

: Mr.V.Jeevagiridharan,  
for third respondent

### **ORDER**

This writ petitioners seek direction to the first respondent to consider their representation dated 12.11.2024 seeking fishing rights in the Devirahalli Lake, Krishnagiri District in favour of the third respondent society for a period from 2024-2025 to 2028-2029, by



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applying G.O.Ms.No.332, Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993 and also in the light of the order passed by this Court in W.P.No.6819 of 2023, etc., dated 21.06.2023.

2. It is the case of the petitioners that they are members of the third respondent Cooperative Society and they are entirely depending upon the fishing activities carried in and around the lakes situated in Krishnagiri District. It is also stated that the petitioners are poor and they belonged to fishermen community and except the avocation of fishing, they have no other income source for their livelihood. The said Devirahalli lake is under the control of the first respondent. Earlier, fishing right in the said lake was leased out to the third respondent for five years from 2019-2020 to 2023-2024 and the said lease was allotted as per the guidelines issued under the above said G.O.Ms.No.332, dated 17.11.1993 and now, the lease period of five years is over. It is also stated by the petitioners that, except the third respondent, no other Cooperative society is available in the locality. Therefore, it is their case that by applying the guidelines issued in the said government order, the third respondent is entitled to get the lease of fishing rights for a further



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period of 5 years. In this regard, the petitioners/members of the third respondent society submitted a representation before the respondents on 12.11.2024 and the same has not been considered. Hence the petitioners have come before this court.

3. Mrs.M.Jayanthi, learned Additional Government Pleader takes notice for the first and second respondent; Mr.V.Jeevagiridharan, learned Additional Government Pleader takes notice for the third respondent.

4. The learned Additional Government Pleader, who takes notice for the first and second respondent would submit that the representation submitted by the petitioners dated 12.11.2024 will be considered by the second respondent and appropriate orders will be passed on its own merits and in accordance with law, within a time frame, as fixed by this court.

5. In view of the above submission, without going into the merits of the claim made by the petitioners, this Court is inclined to direct the



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second respondent to consider the representation of the petitioners dated 12.11.2024 in the light of G.O.Ms.No.332, Animal Husbandry and Fisheries (FS.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 a copy of this order, after issuing necessary notice to the interested parties.

**03.12.2024**

Index:Yes/No  
Internet:Yes/No  
mst

**To**

- 1.The Executive Engineer,  
Public Works Department (WRO),  
Melpennayaru Basin Division, Dharmapuri – 5.
- 2.The Assistant Director of Fisheries,  
(Inland Fisheries), Krishnagiri.
3. The Administrative Officer,  
FMR.1, Kaveripattinam Paruvatha Rajakula  
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**S.SOUNTHAR, J.**

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