



W.P(MD)No.9415 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9415 of 2024

and

W.M.P.(MD)No.8550 of 2024

P.Chelladurai

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Ramanathapuram District.

2.The Deputy Director of Fisheries and Fisherman Welfare,
Deputy Director of Fisheries and Fisherman Welfare Office,
Ramanathapuram District.

3.The Assistant Director of Fisheries and Fisherman Welfare,
Assistant Director of Fisheries and Fisherman Welfare Office,
Ramanathapuram District.

4.The President,
RMM, Natarajapuram Fisherman Co-Operative Society,
Natarajapuram, Rameshwaram,
Ramanathapuram District.

5.Namburajan

6.The Special Officer,
RMM, Natarajapuram Fisherman Co-Operative Society,
Natarajapuram, Rameshwaram,
Ramanathapuram District.

... Respondents

*(R6 is impleaded vide order dated 23.04.2024 in
W.M.P.(MD)No.9090 of 2024 in W.P.(MD)No.9415 of
2024 by GRSJ)*



W.P(MD)No.9415 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 3 to cancel the 4th respondent lease period of 2023-2024 for fetching the fish from Karaiyur to Dhanushkodi water channel and further direct the respondents 1 to 3 to give fresh license for lease to the 538 members of the 4th respondent's society to fetch fish by way of lease in the above said water channel within a stipulated period of time fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.N.G.A.Nataraj,
Government Advocate for R1 to R3 & R6.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the official respondents.

2.It is not in dispute that the fishery rights vests only with the fourth respondent. It is directed that the fourth respondent society must carry out the fishing through its members. There cannot be any sub-lease in favour of any individual private party. I do not want to go into the merits of the matter for the present. This is because the learned Government Advocate informs the Court that the alleged sub-lease executed in favour of the fifth respondent has already



W.P(MD)No.9415 of 2024

come to an end. I direct the authorities to ensure that the fishing activities are carried out as per law and ensure that there is no sub-leasing in favour of any individual private party. This Court cannot endorse any private arrangement between the officer bearers of the society and any favoured individual.

3.This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
District Collector Office,
Ramanathapuram District.
- 2.The Deputy Director of Fisheries and Fisherman Welfare,
Deputy Director of Fisheries and Fisherman Welfare Office,
Ramanathapuram District.
- 3.The Assistant Director of Fisheries and Fisherman Welfare,
Assistant Director of Fisheries and Fisherman Welfare Office,
Ramanathapuram District.
- 4.The Special Officer,
RMM, Natarajapuram Fisherman Co-Operative Society,
Natarajapuram, Rameshwaram,
Ramanathapuram District.



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W.P(MD)No.9415 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.9415 of 2024

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