



W.P(MD)No.13933 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13933 of 2024

and

W.M.P.(MD)No.12225 of 2024

M.Muthu Pandian

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District.

2.The Block Development Officer,
Kalakad Panchayat Union,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 2nd respondent from conducting auction for fishery right with respect to the water bodies namely Oorkavalan Kulam, Vettaikaran Kulam, Puthukulam and Usilankulam, Kalakad Panchayat Union and Tirunelveli District till the petitioner harvest the fishes by considering the petitioner's representation dated 18.06.2024.

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader.



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ORDER

Heard both sides.

2.The petitioner is the existing license holder for fishery rights. He wants extension. Therefore, he does not want the respondents to conduct fresh auction. The learned counsel for the petitioner submitted that on account of reasons set out in the affidavit filed in support of the writ petitioner, relief as sought for deserves to be granted.

3.Though contentions of the learned counsel for the petitioner are persuasive, I feel my hands are tied. The learned Additional Government Pleader drew my attention to the order dated 04.07.2023 in W.P.(MD)No.15962 of 2023 (U.Sudalai ... Petitioner Vs. The Assistant Director of Village Panchayats, Tirunelveli District). A learned Judge of this Court dismissed a similar writ petition in the following terms:-

“3.The petitioner, knowing very well about the lease period and the nature of tanks, has participated in the auction and became the successful bidder. Moreover, there is no provision for extension of lease period. If the petitioner has suffered any loss due to any unforeseen circumstances, the terms and conditions contained in the lease deed /



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tender conditions would follow. But, the petitioner neither referred about the tender conditions nor the provisions to extend the lease period.

Under such circumstances, this Court is not inclined to entertain this writ petition and the same is accordingly, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.”

4.I am inclined to adopt the very same approach. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The District Collector,
Tirunelveli District.
- 2.The Block Development Officer,
Kalakad Panchayat Union,
Tirunelveli District.



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G.R.SWAMINATHAN, J.

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