



W.P.No.15520 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

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THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

W.P.No.15520 of 2024

Ruban Das Y

.. Petitioner

Vs.

- 1.The District Collector,  
The Office of the District Collector,  
Ranipet District, Ranipet-632 401.
- 2.The Additional Director (Fisheries),  
Fisheries Department,  
Ranipet District, Vellore.
- 3.The Executive Engineer,  
Water Resource Development,  
Upper Palar Basin Division,  
Vellore-632 006.

.. Respondents

Writ petition has been filed under Article 226 of the Constitution of India seeking for the issuance of writ of mandamus directing the respondents to issue necessary orders in view of the tender confirmed on 18.10.2023 permitting the petitioner to carry out the fishing activities for a period of 5 years with necessary enhancement of the rent each year and pass such further order or other orders as deem fit and proper in the circumstances of this case and thus render justice.



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For Petitioner : Mr.L.Rajasekar

For Respondents : Mr.Yogesh Kannadasan, Spl.G.P.

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ORDER

The petitioner seeks direction to the respondents to issue necessary orders in view of the tender confirmed on 18.10.2023 permitting the petitioner to carry out the fishing activities for a period of five years with necessary enhancement of the rent each year.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader for respondents.

3.The grievance of the petitioner is that though he was the successful bidder in the auction conducted by the third respondent for fishing rights for a period of one year from 01.07.2023 to 30.06.2024 and the petitioner has paid the amount, the local villagers are preventing the petitioner from fishing and they are insisting for orders. However, the orders have not been issued by the respondents. The petitioner has also sought for extension of lease period by way of representation dated 23.02.2024 which has not been considered. Therefore, the petitioner has sought for a direction permitting the petitioner to carry out fishing rights



for a period of five years with necessary enhancement of rent each year.

4.A counter affidavit has been filed by the third respondent. The learned Special Government Pleader submitted that the pond in question is under the control of the Water Resource Department, i.e., the third respondent herein. Though the auction was conducted on 18.10.2023, the license period is only for one year which has expired on 30.06.2024. Therefore, as a matter of right, the time period cannot be extended. The Government Order relied on by the petitioner is relating to Revenue Department and the same cannot be applied to Water Resource Department. Now, the Government vide G.O.Ms.No.52, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (FS6) Department, dated 08.07.2024, has issued fresh guidelines for leasing out fisheries in the water bodies in which the fishing upset price fixation for leasing of fishery rights has been fixed and the fishery rights of the irrigation tanks will be given for three years. The auction in the impugned tank was held in September, 2023 but the petitioner sought the relief with reference to the G.O. cited which was issued only on 08.07.2024.

5.This Court has perused the entire file. The petitioner sought to extend the lease by way of fishing rights for a period of five years



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alleging that he could not exercise the right due to the opposition by the villagers. It is relevant to note that the petitioner was a successful bidder in the auction held in the year 2023. If really, there was any opposition from the villagers, he should have made a complaint at that point of time. The petitioner having participated in the auction should abide by the conditions, he cannot seek extension of time as a matter of right citing some other reasons. The public auction and fishing rights are governed by the rule and the Government Orders that cannot be violated. The auction should be conducted strictly in accordance with the guidelines and the Government Orders issued in respect of the same. Merely because the petitioner could not get the benefit as expected, the extension cannot be permitted as a matter of right. This Court does not find any merit in the present writ petition to issue any direction to the respondents. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

03.12.2025

Index : Yes/No

Neutral Citation : Yes/No

Speaking Order / Non speaking order

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N.SATHISH KUMAR, J.

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