



W.P.No.17302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.05.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.ARUL MURUGAN**

W.P.No.17302 of 2025

1. Rajendran
 2. Pratap
 3. Perumal
- ...Petitioners

Vs.

1. The Executive Engineer,
Upper Pennaiyar Basin Division,
Water Resources Department,
Dharmapuri – 5.
 2. The Assistant Director of Fisheries,
(Inland Fisheries),
Dharmapuri District, Dharmapuri.
 3. K.K.199, Palacode Paruvatha Rajakula
Fishermen Co-operative Society,
Palacode, Dharmapuri District,
Rep. by its Administrative Officer.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider and pass orders on the representation of the petitioners dated 22.04.2025 and to get



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lease of the fishing rights in the “Kurukunji” Tank under the control of the 1st respondent in favour of the 3rd respondent society for a period of 5 years from 2025-26 to 2029-30 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 : Mr.P.Ganesan, AGP

ORDER

This Writ petition is filed seeking direction to the respondents to consider and pass orders on the petitioners' representation dated 22.04.2025 and to consequently get lease of the fishing rights in the “Kurukunji” Tank which is under the control of the 1st respondent in favour of the 3rd respondent society for a period of 5 years from 2025-26 to 2029-30 in the light of the G.O.M.S.No.332, Animal Husbandry and Fisheries (FS.IV) Department, dated 17.11.1993 as well as the orders passed in batch of writ petitions in W.P.No.6819 of 2023 etc., dated 21.06.2023.



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2. Mr.P.Ganesan, learned Additional Government Pleader takes notice

on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioners that, the petitioners are Inland fishermen and they belong to fishermen community and are active members of the 3rd respondent society and they entirely depend upon the fishing activities carried out in and around the lakes situated under the jurisdiction of the respondents for their livelihood. As per G.O.Ms.No.332, Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993, the societies are entitled to have preference over the fishing rights. In view of the privilege granted in favour of the societies from the G.O.M.S.No.332, Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993, the petitioners made a representation dated 22.04.2025 before the respondents seeking to grant fishing rights in favour of the 3rd respondent society as per the guidelines issued by the Government in the above said G.O. dated 17.11.1993 in respect of the Kurukunji Lake measuring an extent of the 4



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Hectares which is under the control of the 1st respondent. However, till date, no orders have been passed in the said representation. Hence, the petitioners have come up with this Writ petition seeking the above relief.

4. Though very many grounds have been raised, the learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the respondents to consider the representation made by the petitioners on 22.04.2025 and pass appropriate orders as per G.O.M.S.No.332, Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993 as expeditiously as possible.

5. Learned Additional Government Pleader appearing on behalf of the respondents submitted that, appropriate orders will be passed on the petitioners' representation within the time stipulated by this Court.

6. In view of the limited request made by the learned counsel for the petitioners, this Court, without going into the merits of the case, directs the 1st and 2nd respondents to consider the petitioners' representation dated



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22.04.2025 on merits and pass appropriate orders in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order in the light of G.O.M.S.No.332, Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993, after affording an opportunity of hearing to the petitioners and aggrieved persons, if any.

7. With the above observations and directions, this Writ Petition stands disposed of. No costs.

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(2/6)

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

1. The Executive Engineer,
Upper Pennaiyar Basin Division,
Water Resources Department,
Dharmapuri – 5.
- 2 . The Assistant Director of Fisheries,
(Inland Fisheries),
Dharmapuri District, Dharmapuri.

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3. K.K.199, Palacode Paruvatha Rajakula
Fishermen Co-operative Society,
Palacode, Dharmapuri District,
Rep. by its Administrative Officer.

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In view of amendment to the Court fee rules, this petition is allowed, subject to payment of separate Court fee, within a period of two weeks, from the date of receipt of a copy of this order, failing which this order shall be applicable only to the first petitioner.

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(1/6)

skt