



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 21055 of 2025

and

WMP No. 23805 of 2025

1.M.Thavamani

2.R.Raja

Petitioner(s)

Vs

1.The Sub Collector and Sub Divisional
Magistrate
Ponneri, Thiruvallur District.

2.The Revenue Divisional Officer
Ponneri Taluk, Thiruvallur District.

3.The Assistant Director of Fisheries
Fisheries Department, Ponneri-601 204,
Tiruvallur District.

4.M.Shankar

5.S.Selvam

Respondent(s)

PRAYER

calling for the records of second respondent passed in proceedings Na.Ka.3903/2022/A1 dated 30.05.2025 and quash the same in so far as the time



schedule is concerned and consequently direct the respondents to consider the grievances of petitioners for allotment of fishing rights equally and to allow the petitioners and their group members for fishing forthwith.

For Petitioner(s): Ms.S.Hemalatha

For Respondent(s): Mr.G.Velu, AGP For R1 & R2
Mr.E.Vijay Anand, AGP For R3
Mr.R.Munuswamy,
For R4 & R5

ORDER

This writ petition has been filed challenging the impugned proceedings of the 2nd respondent dated 30.05.2025 and for a consequential direction to the respondents to allot the fishing rights equally.

2. The case of the petitioners is that they are representing Shree Ellaiamman Andikuppam Fishermen Co-operative Society. There has been a long standing dispute between the petitioners' group and the group belonging to the respondents 4 and 5. In the year 2021, the Revenue Divisional Officer (RDO) passed an order dated 14.12.2021 directing both groups to fish in their respective areas on a rotational basis to maintain peace. However, this was not



complied with by the respondents 4 and 5. Subsequently, the next incumbent passed an order on 06.04.2022, issuing a timetable favouring the 4th and 5th respondents' group.

3. A writ petition was filed in W.P.No.13507 of 2022 for a direction to the District Revenue Officer (DRO) to conduct an inquiry and to restore his original order passed by the Revenue Divisional Officer dated 14.12.2021. This writ petition was disposed of by an order dated 22.06.2022 and a direction was issued to the implement the order dated 14.12.2021 passed by the Revenue Divisional Officer and as per the amicable settlement reached between the groups on 08.05.2022.

4. The 4th respondent filed W.P.No.17348 of 2022 to enforce the order of the Revenue Divisional Officer dated 06.04.2022. In the meantime, modification petition was also filed by the petitioners to clarify the earlier order passed. It was clarified that the order of the Revenue Divisional Officer dated 06.04.2022 will be implemented by allowing both the groups to do fishing



without obstruction.

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5. The dispute between both the groups continued. Ultimately, through proceedings dated 30.05.2025, the 2nd respondent directed that the petitioners' group, consisting of 103 persons, will be given 112 days for fishing and the respondents' group contains of 156 persons, will be given 122 days for fishing. The same has been put to challenge in the present writ petition.

6. The 1st respondent has filed a counter affidavit and the relevant portion is extracted hereunder:

“6. It is further submitted that, based on the Hon'ble High Court order and considering the livelihood of the each fisherman as the number of fishermen in Mr.Selvam and Mr.Shankar groups were more than that of the number of fishermen in Mr.Raja and Mr.Thavamani group an order was issued vide Na.Ka. 3903/2022/B1, dated 30.05.2025 allotting 112 days paadu for Mr.Raja and Mr.Thavamani group and 122 days paadu for Mr.Selvam and Mr.Shankar



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groups for the period from June 2025 to May 2026. Against the above proceedings of the 1st respondent dated on 30.05.2025, the petitioners have filed this writ petition before this Hon'ble Court. This Hon'ble Court has directed the 2nd respondent to ensure the allotment of equal time to the petitioner as well the respondents 4 and 5 each till further order was passed by this Hon'ble Court in W.M.P.No.23805 of 2025 in W.P.No.21055 of 2025. It is submitted that in pursuant to the orders passed by this Hon'ble Court on 16.06.2025, revised proceedings has been issued by the 1st respondent but fixing equal days of fishing for the both the groups on 27.06.2025 on vide reference Rc.3903/2022/B1.

7. With respect to para 3 to 18 and the grounds raised in para 19, it is submitted that only after having conducted meeting with the groups of petitioners and the respondents in the presence of the Police and Revenue Officials and the 3rd respondent, orders have been passed by the respondents 1 and 2 for the year 2022 to 2025 in regard to allotment of fishing dates and fishing areas to the group of the



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petitioners and respondents 4 and 5. Every time, the order passed by the respondents from the year 2022 have been appealed by either of the groups by filing the writ petition by them before this Hon'ble Court as furnished in para 4, 5 above. No consensus has so far been arrived among the groups of this petitioners and respondents 4 and 5 despite the efforts have been taken by the respondents 1 and 3 on each occasion to maintain law and order and both groups would have fishing peacefully and amicably without complaining of any unwanted incidents among them. They have been regularly filing writ petition before this Hon'ble Court against the order passed by the respondents 1 and 2 for the first four year.”

7. The 4th respondent has filed a counter affidavit reiterating the stand taken by the 1st respondent and justifying the order passed by the 2nd respondent.

8. This Court carefully considered the submissions made on either side



and the materials available on record.

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9. The learned counsel for the petitioners submitted that the respondents erred in allocating lesser days for petitioners' group for fishing and more days for the 4th and 5th respondents' group. It was submitted that the decision taken by the 2nd respondent is discriminatory and adversely affects the livelihood of the petitioners' group. That apart, fictitious numbers were given without reflecting the actual figure and as a result, more number of days has been given to the 4th and 5th respondents' group. Furthermore, the fixation of the time schedule is also illegal and arbitrary.

10. It is quite evident from the records that there is a longstanding dispute between the petitioners group and 4th and 5th respondents' group. Each time, either of these groups approaches this Court and file a writ petition whenever a decision is taken and orders are passed. It is natural that the decision taken by the authorities will not satisfy one group or the other, and as a result, every time, they approach this Court by filing a writ petition.



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11. On carefully going through the impugned proceedings of the 2nd respondent dated 30.05.2025, it is seen that a detailed inquiry was conducted.

The petitioners' group had a total of 103 members, and the 4th and 5th respondents' group had 156 members. Considering the same, 112 days was allotted to petitioners' group and 122 days was allotted to 4th and 5th respondents' group for the period June 2025 to May 2026.

12. This Court does not find any illegality in the proceedings of the 2nd respondent warranting the interference of this Court. These decisions were taken by looking at the ground reality and also considering the fact that both the groups have been at loggerheads for a long period of time. The reasoning behind allotting 112 days to the petitioners' group and 122 days for the 4th and 5th respondents' group is sound. This Court cannot sit over the decision taken by the authority, since the ground reality was taken into consideration by the official respondents.



13. In view of the above discussion, the impugned order does not suffer from any error of law apparent on the face of the order.

14. In result, this Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

20-08-2025

(1/2)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.The Sub Collector And Sub
Divisional Magistrate
Ponneri, Thiruvallur District

2.The Revenue Divisional Officer
Ponneri Taluk, Thiruvallur District

3.The Assistant Director Of Fisheries
Fisheries Department, Ponneri-601
204, Tiruvallur District



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N.ANAND VENKATESH J.

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