



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 27846 of 2025

AND

WMP NO. 31190 OF 2025

1. Veerapandiyan.P
S/o. Palanisamy, Odathurai
Kulam, Odathurai, Bhavani
Taluk, Erode District-638455

Petitioner(s)

Vs

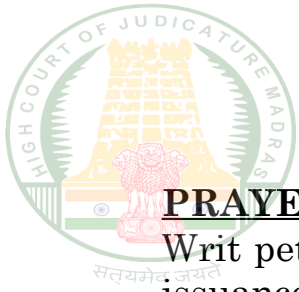
1. The Director Of Fisheries And
Fishermen Welfare
Department Of Animal
Husbandry, Dairying, Fisheries
And Fishermen Welfare, Chennai-
600 005

2.The District Collector
Erode District -638011

3.The Assistant Director Of
Fisheries
Sathyamangalam Range, Erode
District-638401

4.The President
P6, P. Meetupalayam Meenavar
Sangam, P6 P. Meetupalayam
Village, Otteriyur Panchayat,
Sathyamangalam Taluk, Erode
District-638455

Respondent(s)

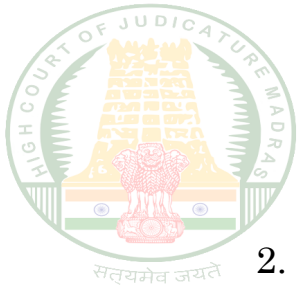
**PRAYER**

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the respondents 1 to 3 consider the petitioners representation dated 07.05.2025 and grant reasonable time to register and form a separate Fishermen Society for Odathurai Village, Bhavani Taluk, Erode District, and permit the petitioner and its members to participate in the tender process for leasing fishery rights, and consequently, to forbear the respondents from permitting any other village's society to participate in the tender process scheduled on 28.07.2025 in respect of Odathurai Kulam.

For Petitioner(s): Mr.K. Sathish Kumar
For Mr.E.Veda Bagath Singh,
Respondent(s): Special Government Pleader
for R1 to R3
Mr.G.Ameedius,
Government Advocate for R4

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 to 3 to consider the representation made by the petitioner on 07.05.2025 wherein the petitioner is seeking for a reasonable time to register and form a fishermen society for Odathurai village, Bhavani Taluk and thereafter, permit the petitioner and its members to participate in the tender process for leasing fishery rights and till then, forbear the respondents from conducting any tender process, scheduled on 28.07.2025.



2. When the matter was taken up for hearing, the learned Additional Government Pleader appearing on behalf of the 3rd respondent produced the written instructions and the relevant portions are extracted hereunder:-

I submit to inform you that Odathurai Tank is a rain fed tank, which comes under the control of Fisheries and Fishermen Welfare Department. There are 14 fishermen who are traditionally engaged in the fishing activities. The petitioner is one of the Associate share fishermen in that rain fed tank. He is the Associate member of the Puthimadai Puthur Fishermen Co-operative Society. Other share fishermen belong to the P. Mettupalayam Fishermen Co-operative Society.

As per G.O. (Ms) No.: 5, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare Department, dated 30.01.2025. The first preference is given to the Fishermen Co-operative Society for their livelihood. The Odathurai tank comes under the jurisdiction of the P. Mettupalayam Fishermen Co-operative Society, which is under the control of Administrator of the P. Mettupalayam Fishermen Co-operative Society. The General Body Meeting was conducted on 20.09.2024; the willingness was received from the P. Mettupalayam Fishermen Co-operative Society to utilize fishing rights of Odathurai tank after the payment of lease amount of Rs. 8,03,124/-. The notice was issued on 22.07.2025 to conduct a General Body Meeting for the P. Mettupalayam Fishermen Co-operative Society members to pay the lease amount of Rs. 8, 03,124/-.

The petitioner is requesting to form a separate society for Odathurai tank to utilize the fishing rights for Odathurai tank. As per Co-Operative society Act 1985, there is no need for a separate society for Odathurai tank because of the existence of P. Mettupalayam Fishermen Co-operative Society around the Odathurai tank. Hence, the petitioner could utilise the fishing rights in Odathurai tank, by joining as a member in P.



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Mettupalayam Fishermen Co-operative Society by submitting the request letter in the General Body Meeting after obtaining the No Objection Certificate (NOC) from the Administrator of Puthimadai Puthur Fishermen Co-operative Society.

3. Heard Mr.K. Sathish Kumar, learned counsel for the petitioner and Mr.E.Veda Bagath Singh,, learned Special Government Pleader for Respondents 1 to 3 and Mr.G.Ameedius, learned Government Advocate for 4th respondent.

4. In the considered view of this Court, the relief as sought for by the petitioner is unsustainable. The petitioner wants the establishment to wait till a society is formed by the petitioner and the same is registered. On going through the written instructions, it is seen that the petitioner is a society member of Puthimadai puthur Fishermen Co-operative society. Therefore, if the petitioner wants to utilise the fishing rights, it is not necessary to form one more society and the petitioner can be part of the 4th respondent society. Ultimately, the decision is in the hands of the petitioner. As such, this Court is not inclined to grant the relief sought for in the writ petition, since the very relief sought for is unsustainable.



5. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

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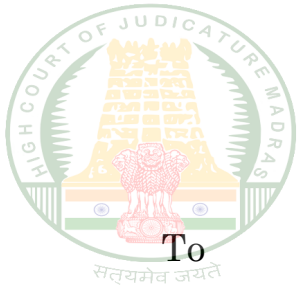
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

WEB C.T.N

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Fishermen Welfare
Department Of Animal
Husbandry, Dairying, Fisheries
And Fishermen Welfare, Chennai-
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