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WP.No.31453 of 2024

In the High Court of Judicature at Madras

Reserved on 10.7.2025	Delivered on : 15.7.2025
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Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Writ Petition No.31453 of 2024
& WMP.Nos.34159 & 40209 of 2024
& 9242 of 2025

R.Rajalingam

Vs

...Petitioner

- 1.The Commissioner of Fisheries
& Fishermen Welfare, III Floor,
Integrated Animal Husbandry
& Fisheries Building,
Nandanam, Chennai-35.
- 2.The Additional Director of Fisheries
& Fishermen Welfare, Avvai
Nagar, Opposite to Collector
Office, Dharmapuri-636705.
- 3.The Assistant Director of Fisheries
& Fishermen Welfare, 24 - 25,
Cooperative Colony, 4th Cross,
Krishnagiri-635001.
- 4.The Inspector of Fisheries &
Fishermen Welfare,
Nallathurai, Barur Post,
Pochampalli Taluk,
Krishnagiri District-635201.



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5.The Special Officer, FMR-1
Kaveripattinam Paruvatharajakula
Fishermen Cooperative Society,
Krishnagiri Dam, Krishnagiri.

6.Murugan
7.Kannan
8.Veerapathiran
9.Anuman
10.Prabhakaran
11.Kesavan
12.Madasamy
13.Gokulraj
14.Manikavasagam
15.Vetrivel

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorari to call for the production of the record relating to the proceedings dated 07.10.2024 made in Na.Ka. No.243/E/2020 passed by the 3rd respondent herein and quash the same.

For Petitioner	:	Mr.S.Senthilnathan
For R1 to R5	:	Mr.P.Ganesan, AGP
For R6 to R15	:	Mr.V.Elangovan

ORDER

This writ petition has been filed by the petitioner challenging the proceedings dated 07.10.2024 wherein the third respondent attempted to include 10 more groups for fishing disregarding the rights of the fifth respondent society.



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2. Heard the learned appearing for the respective parties.

3. When the matter came up for admission on 24.10.2024, this Court granted an order of interim stay in WMP.No.34159 of 2024. Pursuant to that, respondents 6 to 15 filed WMP.No.40209 of 2024 seeking to vacate the said interim order. Further, respondents 1 to 4 filed WMP.No.9242 of 2025 seeking to vacate the said interim order.

4. The case of the petitioner is as follows :

(i) The petitioner is a member of the fifth respondent society. Barur big lake is one among several lakes coming under the jurisdiction of the fifth respondent society. The Fisheries Department gave fishing rights to the fifth respondent society for the period from 09.7.2020 to 08.7.2025. Totally, 61 groups are already permitted to do fishing in the lake and each group is permitted to catch fishes to the tune of 10 to 15 Kgs per day. On handing over the fishes to the fifth respondent society, they will be paid.

(ii) The grievance of the petitioner is that the third respondent, vide impugned proceedings dated 07.10.2024, included 10 more groups, which, according to the petitioner, is beyond the jurisdiction of



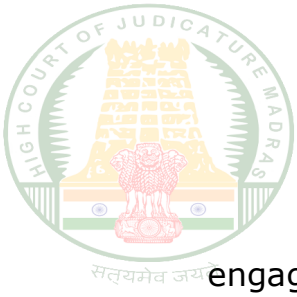
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the third respondent and it goes against the independence of the fifth respondent society, which has to decide as to whether additional groups are to be included apart from the existing groups. Hence the writ petition.

5. The third respondent filed a counter affidavit wherein he took the following stand :

(i) Vide G.O.No.52 Animal Husbandry, Dairy & Fishermen Welfare Department dated 08.7.2024, 54 lakes were assigned to the Fisheries and Fishermen Welfare Department and Barur big lake is one among them. The Director of Fisheries and Fishermen Welfare Department is the Registrar in respect of the Fishermen Cooperative Societies. Initially, the Registrar fixed yearly target for fishing in each lake. With respect Barur big lake, upto 2006, 37 groups were permitted. Later, the number of groups was increased and ultimately, totally 60 groups are permitted for fishing in the Barur big lake.

(ii) A target was fixed for the year 2024-25 as 620 tonnes. In order to achieve this target apart from the existing 61 fishing groups, permission has been granted to increase 10 more groups. This was aimed to boost the revenue of the State. That apart, if 70 groups are



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engaged in fishing activities, one group can fetch in 8.5 acres. They engage in fishing activities from 6 to 10 AM. There are 2800 members in total in the fifth respondent society. By permitting additional fishing groups, more members will earn considerable monthly income. Hence, the third respondent sought for dismissal of this writ petition.

6. The sixth respondent filed a counter for himself and on behalf of respondents 7 to 15 wherein they took the following stand :

The fifth respondent society passed a resolution dated 18.9.2024 stating that the target for fishing for the year 2024-25 has been increased from 445 tonnes to 620 tonnes. This target could not be achieved with the total groups permitted. Therefore, it was decided to include 10 more groups. Pursuant to the said decision taken by the fifth respondent society, the third respondent followed suit and passed the impugned order. There are no merits in this writ petition, which is liable to be dismissed by this Court.

7. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned order.



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8. The only issue that is involved in this writ petition is as to whether the third respondent lacks jurisdiction to increase the number of groups to the already existing 61 groups, which was fixed earlier.

9. A careful consideration of the materials placed before this Court would show that the fifth respondent society had, in fact, passed the resolution dated 18.9.2024 to increase the number of groups in order to achieve the target of 620 tonnes. Pursuant to that, the third respondent issued the impugned proceedings including 10 more groups. It is true that there is no mention in the impugned proceedings regarding the resolution passed by the fifth respondent society. However, that, by itself, is not a ground to interfere with the impugned proceedings of the third respondent.

10. It is also not in dispute that the 10 groups, which are going to be benefited, are all members of the fifth respondent society. Hence, ultimately, it is only the members of the fifth respondent society, who are going to be benefited and no third parties are getting into the fishing activities.



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11. It is further seen from the counter filed by the third respondent that the Director of Fisheries and Fishermen Welfare Department is also the Registrar and Competent Authority of the Fishermen Cooperative Societies. Hence, the third respondent has acted in the interest of the fifth respondent society and the same cannot be assailed by the petitioner. This writ petition has been filed only to prevent the other members from being included for fishing activities. Therefore, there is a personal interest for the petitioner as the fifth respondent society has not come before this Court complaining against the proceedings of the third respondent on the ground that it interferes with the independence of the fifth respondent society.

12. Even though the period has come to an end on 08.7.2025, this Court has already passed an order on 02.7.2025 in W.P.No.22999 of 2025 directing the period to be extended for six months considering the fact that the fishing activities were not able to be done for nearly six months due to Fengal cyclone. In the light of the above, this Court does not find any merits in this writ petition.



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13. Accordingly, the writ petition is dismissed. No costs.

Consequently, the connected WMPs are also dismissed.

15.7.2025

To

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N.ANAND VENKATESH,J

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