



W.P. No.40320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.40320 of 2025

1. S.Vadivelan

2.P.Kumar

3.R.Periyasamy

4.M.Arumugam

Petitioners

Vs

1. The Executive Engineer
Upper Pennaiyar Basin Division, Water
Resources Department,
Dharmapuri 5.

2.The Assistant Director of Fisheries
(Inland Fisheries),
Krishnagiri Dam 635 101



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3.Fmr.1 Kaveripattinam Paruvatha

Rajakula Fishermen

Co-operative Society, Krishnagiri Dam

635 101 ,

Rep. by its Administrative Officer

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondents to consider and pass orders on the representation of the petitioners dated 23.09.2025 and to get lease of the fishing rights in the Marutheri Lake 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.Ms.No. 332 Animal Husbandry and Fisheries (FS.IV) Department dated 17.11.1993 and the orders passed in batch of writ petitions in WP No. 6819 of 2023 etc., dated 21.06.2023.

For petitioners : Mr.V. Elangovan

For respondents : Mrs. S. Anitha

Spl. Govt. Pleader for R1 & R2

Ms. Aswini Devi K.

Addl. Govt. Pleader for R3

ORDER

Mrs.S. Anitha, learned Special Government Pleader takes notice for respondents 1 and 2 and Ms. K. Aswini Devi, learned Additional Government



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Pleader takes notice for the 3rd respondent. By consent of both the parties, this

writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is a direction to the respondents to consider and pass orders on the petitioners' joint representation dated 23.09.2025 seeking grant of lease of the fishing rights in the Marutheri Lake 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.Ms.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.

3. The case of the petitioners is that they are the Members of the 3rd respondent co-operative society and except fishing there is no other occupation for its members. He further submitted that as per G.O. Ms. No.332, Animal Husbandry and Fisheries (F.S. IV) Department, dated 17.11.1993, priority should be given to the Co-operative Societies to grant lease of fishing right and as on date, the above tank is not leased out to any co-operative societies or to



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any individuals. Hence, they made a joint representation to the respondents on

23.09.2025 seeking for grant of fishing right in the above lake to the 3rd

respondent Society for the period of five years i.e., 2025-2026 to 2029-2030.

Since the same was not considered, the petitioners have filed this writ petition before this Court for appropriate orders.

4. The learned counsel appearing for the petitioner submits that as per the order made in a batch of writ petitions in W.P. No.6819 of 2023, dated 21.06.2023, this Court clearly held that the cooperative societies composed of fishermen or Harijans engaged in fishing should first be given an opportunity of taking the fishery on lease and if there is no cooperative society to take the lease, opportunity should be given to the Panchayat working in the area to take the lease on the same amount. If neither the cooperative society nor the Panchayat is willing to take the lease, the preference should be given as per RSO 211, which has been followed in G.O.Ms.No.332 dated 17.11.1993 scrupulously. He further submitted that it would suffice, if this Court, issues a direction to the respondents to consider the petitioners' representation, dated



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23.09.2025 and pass appropriate orders, within a time frame that may be

stipulated by this Court.

5. Learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 did not raise any serious objection for the limited request now made by the learned counsel for the petitioner.

6. In view of the limited prayer sought for, this Court, without going into the merits of the case, directs the 2nd respondent to consider the petitioners' joint representation dated 23.09.2025, on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

vsi2



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M. DHANDAPANI, J.

vsi2

To

1. The Executive Engineer
Upper Pennaiyar Basin Division,
Water Resources Department,
Dharmapuri 5

2. The Assistant Director Of Fisheries
(inland Fisheries), Krishnagiri Dam
635 101

3. The Administrative Officer
Fmr.1 Kaveripattinam Paruvatha
Rajakula Fishermen
Co-operative Society,
Krishnagiri Dam 635 101,

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