



W.P. No.46797 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.46797 of 2025

1. S.M.Arulprakash

2.G.Raja

3.C.Indirakumar

4.C.Kapilraja

5.G.Sivakumar,

6.K.Bavananthi,

Petitioners

Vs

1. The Executive Engineer
Water Resources Department,
Mel Pennaiyar Basin Division,
Dharmapuri 636 705.

2.The Assistant Director of Fisheries,
(Inland Fisheries),
2nd Floor, Old Collectorate Office,
Dharmapuri 636 705.



W.P. No.46797 of 2025

3.K.K.199, Palacode Paruvatharajakula
Fishermen Cooperative Marketing
Society,
Belarahalli Post,
Palacode Taluk, Dharmapuri District,
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 10.10.2025 and to get lease of the fishing rights of the Amanithalav Lake, situated at Panjapalli Village, Palacode Taluk 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 : Mrs. S. Anitha
Spl. Govt. Pleader

ORDER

Mrs.S. Anitha, learned Special Government Pleader takes notice for respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.



W.P. No.46797 of 2025

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 10.10.2025 seeking grant of lease of the fishing rights in the Amanithalav 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. It is further stated 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 any individuals. Hence, they made a joint representation to the respondents on 10.10.2025 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.



W.P. No.46797 of 2025

WEB COPY

4. The learned counsel appearing for the petitioners 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 10.10.2025 and pass appropriate orders, within a time frame that may be stipulated by this Court.

5. Learned Special Government Pleader appearing on behalf of the respondents did not raise any serious objection for the limited request now made by the learned counsel for the petitioners.

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'



W.P. No.46797 of 2025

joint representation dated 10.10.2025, on merits and in accordance with law and pass appropriate orders, within a period of six 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.

28.11.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

To

1. The Executive Engineer
Water Resources Department,
Mel Pennaiyar Basin Division,
Dharmapuri 636 705.

2. The Assistant Director of Fisheries,
(Inland Fisheries),
2nd Floor, Old Collectorate Office,
Dharmapuri 636 705.

3. The Administrative Officer.
K.K.199, Palacode Paruvatharajakula
Fishermen Cooperative Marketing
Society,
Belarahalli Post,
Palacode Taluk,
Dharmapuri District.



WEB COPY



W.P. No.46797 of 2025

M. DHANDAPANI, J.

vsi2

W.P. No.46797 of 2025

28.11.2025

(2/2)