



W.P.(MD)No.4944 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4944 of 2025

and

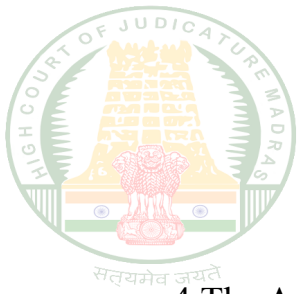
W.M.P.(MD)No.3587 of 2025

1.R.Pandi
2.A.Suresh Babu
3.R.Pandi
4.P.Arun Pandian
5.C.Ramesh

... Petitioners

-VS-

- 1.The Commissioner of Fisheries,
O/o. the Commissioner of Fisheries,
3rd Floor, Integrated Animal Husbandry and Fisheries Building,
Nandanam, Chennai - 600 035.
- 2.The Deputy Director,
Inland Fisheries and Fishermen Welfare,
Tamil Nadu Fisheries Department,
Madurai - 625 001.
- 3.The Assistant Director,
Inland Fisheries and Fishermen Welfare,
No.D4/63, Nehruji Nagar,
80 Feet Road,
R.M. Colony, Dindigul District.



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4. The Administrative Officer,
Nilakkottai Taluk Fishermen Co-Operative Society (FA-2),
Dindigul, Dindigul District.

5. Janarthanan,
The Assistant Director,
Inland Fisheries and Fishermen Welfare,
No.D4/63, Nehruji Nagar,
80 Feet Road, R.M.Colony,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to extend the fishing lease in respect of Maruthanathi Reservoir, Ayyampalayam Village, Dindigul District, in favour of the petitioners for a period of one year, by the considering the petitioners' representation dated 12.12.2024, within the time stipulated by this Court.

For Petitioners : Mr.M.Mahaboob Fazil
for M/s.Roy and Roy Associates

For R1 to R4 : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 4 to extend the fishing lease in respect of Maruthanathi Reservoir, Ayyampalayam Village, Dindigul District, in favour of the petitioners for a period of one year, by the considering the petitioners' representation dated 12.12.2024,



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2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself.

3. Since no adverse orders are going to be passed against the fifth respondent, notice to the fifth respondent is hereby dispensed with.

4. The petitioners submit that they have been engaged in fishing in the reservoir since January 2021 and have made a representation to the respondents requesting an extension of the lease period for one year. Since the representation has not been considered, the petitioner has filed the present writ petition.

5. Heard the learned counsel appearing for the parties.

6. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under



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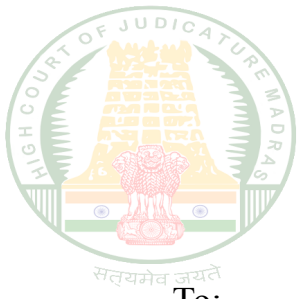
Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

7. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 12.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of one month from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents 1 and 2 to consider the same on its own merits.

8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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