



W.P.(MD)No.7405 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7405 of 2025

Kottai Durai

... Petitioner

-VS-

1.The District Collector / Inspector of Panchayat,
Collectorate, Tenkasi District.

2.The Block Development Officer / Special Officer,
Sankarankovil Panchayat Union,
Sankarankovil, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to consider the petitioner's representation dated 23.01.2025 and pass appropriate orders in granting work order for Fishery Rights in Vanakaraiyan Kulam, Kalappakulam Village, Sankarankovil Taluk, Tenkasi District, in pursuant to the auction proceedings in Na.Ka.No.BDOSKL/125/2022/A2 dated 13.01.2025, issued by the second respondent, within a time stipulated by this Court.

For Petitioner

: Mr.D.Nallathambi

For R1

: Mr.K.S.Selva Ganesan
Additional Government Pleader



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For R2

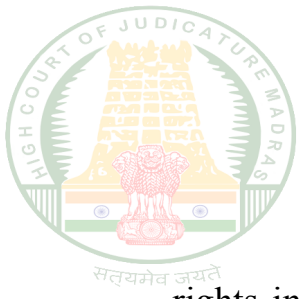
: Mr.N.Satheeshkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent herein to consider the petitioner's representation dated 23.01.2025 and pass appropriate orders in granting work order for Fishery Rights in Vanakaraiyan Kulam, Kalappakulam Village, Sankarankovil Taluk, Tenkasi District, pursuant to the auction proceedings in Na.Ka.No.BDOSKL/125/2022/A2, dated 13.01.2025, issued by the second respondent.

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

3. According to the petitioner, the second respondent issued auction proceedings on 13.01.2025, inviting applications for fishery rights for the Fasli year 1434 in Vanakaraiyan Kulam, Kalappakulam Village, Sankarankovil Taluk, Tenkasi District. The petitioner participated in the auction and was selected as the highest bidder. Following this, the petitioner submitted a representation on 23.01.2025, requesting the second respondent to issue a work order for the fishery



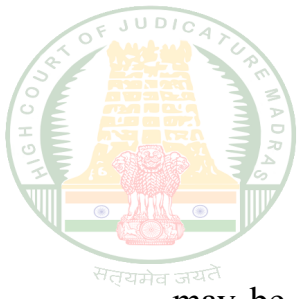
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rights in Vanakaraiyan Kulam, Kalappakulam Village. Since no action has been taken so far, the petitioner has filed the present Writ Petition.

4. Heard both sides.

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

6. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 23.01.2025, 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



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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 second respondent to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

19.03.2025

To:-

- 1.The District Collector / Inspector of Panchayat,
Collectorate, Tenkasi District.
- 2.The Block Development Officer / Special Officer,
Sankarankovil Panchayat Union,
Sankarankovil, Tenkasi District.



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VIVEK KUMAR SINGH, J.

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