



W.P.(MD)No.7369 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.7369 of 2025

C.Pandian

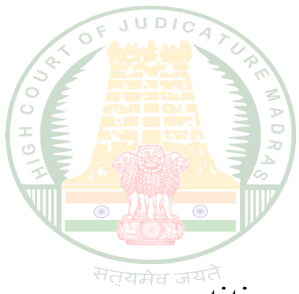
... Petitioner

-VS-

- 1.The Secretary to Government,
Animal Husbandry and Diary and Fisheries Department,
Fort St. George, Secretariat,
Chennai – 600 009.
- 2.The Commissioner / Director of Fisheries and Fishermen Welfare,
571, Anna Salai, 3rd Floor,
Integrated Animal Husbandry and Fisheries Building, Nandanam,
Chennai – 600 035.
- 3.The Assistant Director of Fisheries,
Vaigai Dam - 625512,
Theni District.
- 4.The Secretary,
FMD-10, Local Fishermen Co-Operative Society,
Vaigai Dam – 625512,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider the



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petitioner's representation dated 07.03.2025 for conducting tender cum auction for fishing rights among the members of the fourth respondent Society, within a time period as stipulated by this Court.

For Petitioner : Mr.M.Karuppasamy Pandiyan
For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents herein to consider the petitioner's representation dated 07.03.2025, for conducting tender cum auction for fishing rights among the members of the fourth respondent Society.

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

3. According to the petitioner, he submitted a representation to the respondents on 07.03.2025, requesting to conduct tender-cum-auction for fishing rights among the members of the fourth respondent Society, which is still pending. However, the fourth respondent is taking steps to allot the fishing rights at their discretion. Hence, the present Writ Petition.



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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 07.03.2025, 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 may be interested in the subject matter, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not



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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

19.03.2025

Index : Yes / No

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To:-

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VIVEK KUMAR SINGH, J.

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