

W.P.(MD)No.12705 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.04.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.12705 of 2025

U.Ranjithsingh

... Petitioner

-VS-

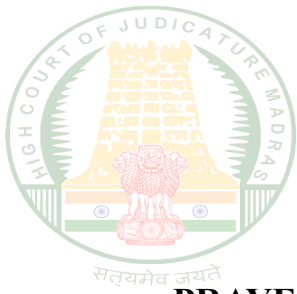
1.The Commissioner of Fisheries,
O/o. the Commissioner of Fisheries,
3rd Floor, Integrated Animal Husbandry and Fisheries Building,
Nandanam, Chennai - 600 035.

2.The District Collector,
O/o. the District Collector,
Thoothukudi District.

3. The Executive Engineer,
Public Works Department/WRO,
Tharamarabarani and Korampallam River,
Irrigation Section,
Thoothukudi District.

4. The Assistant Engineer,
Public Works Department/WRO,
Maruthur Melakal Pirivu
Thiruvaikundam,
Thoothukudi District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to extend the fishing lease in respect of Thenkaraikulam tank situated at Aalvarthirunagari Village, Eral Taluk Thoothukudi District in favour of the petitioner for a period of one year, by the considering the petitioner's representation dated 15.08.2024, within the time stipulated by this Court.

For Petitioner : Mr.A.S.Vaigunth
For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to extend the fishing lease in respect of Thenkaraikulam tank situated at Aalvarthirunagari Village, Eral Taluk Thoothukudi District in favour of the petitioner for a period of one year, by considering the petitioner's representation dated 15.08.2024.

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



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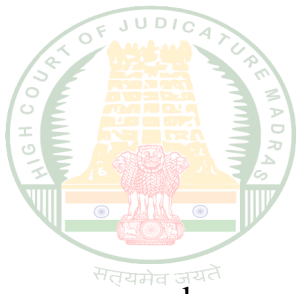
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3. The petitioner states that he has been engaged in fishing in the aforesaid reservoir from the year 2024 and has made a representation to the respondents requesting an extension of the lease period for one year. Since the representation has not been 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 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 herein to consider the petitioner's representation dated 15.08.2024 on its own merits and pass appropriate orders in accordance with law, after giving



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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 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.

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

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