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W.P.(MD)NO.22753 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.22753 of 2025 AND
W.M.P.(MD)Nos.17803 & 17804 of 2025

Madasamy

... Petitioner

Vs.

1. The Executive Engineer,
Public Works Department(WRO),
Sitraru Basin Division, Tenkasi,
Tenkasi District.
2. The Assistant Executive Engineer,
Public Works Department(WRO),
Sitraru Basin Division,
Alangulam Sub Division,
Tenkasi District.
3. The Assistant Engineer,
Public Works Department(WRO),
Sitraru Basin Section,
Alangulam Circle,
Tenkasi District.

4. K.Poovalingam

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in the order passed by the third respondent in



letter No.Ko.16/2025/A.E.(A) dated 18.07.2025 and quash the same as illegal and consequently, direct the respondents to conduct fresh open tender in Pallamadai Kanmai Tank, Pallikottai, Tirunelveli.

For Petitioner : Mr.G.Karthikeyan

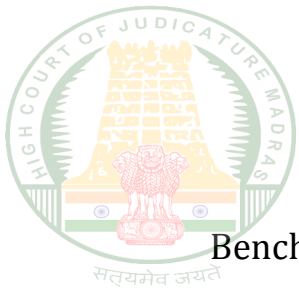
For R-1 to R-3 : Mr.M.Lingadurai,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for respondents 1 to 3.

2. The fourth respondent herein was granted fishery license in respect of the petition-mentioned tank from 19.01.2024 to 30.09.2024. He paid a sum of Rs.62,775/-. After the expiry of the license period, he applied for extension. His request was not considered. Hence, W.P.(MD)No.23420 of 2024 was filed and the writ petition was dismissed vide order dated 01.10.2024. Aggrieved by the same, he filed W.A.(MD)No.528 of 2025. The Hon'ble Division



Bench vide order dated 18.03.2025 granted liberty to the licensee to approach the Redressal Committee in terms of G.O.(Ms).No.05 Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (F5.6-1) Department dated 30.01.2025. In terms of the liberty given by the Hon'ble Division Bench, the licensee approached the Redressal Committee. Interestingly, the Redressal Committee comprises the following four members:-

- i) Joint Director(Fisheries)
- ii) Assistant Director (Fisheries)
- iii) Assistant Executive Engineer(WRO)
- iv) Tahsildar

3. The jurisdictional Tahsildar as well as the officials of the Fisheries Department left open the issue to the Public Works Department (WRO). Based on the same, the second respondent herein granted extension till 30.09.2025 on payment of enhanced lease amount. Challenging the said extension order, this writ petition has been filed.

4. It is beyond dispute that the order granting extension is



not in consonance with G.O.(Ms).No.05 Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (F5.6-1) Department dated 30.01.2025. In fact, there was no scope for granting extension at all. Even the Hon'ble Division Bench did not issue any positive mandate in favour of the licensee. There is also no recommendation as such from the Redressal Committee. The second respondent appears to have misconstrued the stand of the other members of the committee and on his own directed the third respondent herein to grant formal extension. However, for the extended period, the second respondent has taken care to stipulate that the licensee must pay 10% more than that of the original license fee.

5. Therefore, I am of the view that the issue can be given a quietus. The second respondent is called upon to be very careful in future while dealing with requests for extension. He cannot travel beyond the terms of the GO. The respondents 2 and 3 will ensure that the possession of the petition-mentioned water body is resumed from the hands of the fourth respondent on 01.11.2025 itself. The authorities shall take steps to immediately hold a fresh auction or tender so that the highest bidder can be granted license. While the



first part of the prayer is not accepted, the second part of the prayer

is granted. This writ petition stands partly allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

17.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Executive Engineer,
Public Works Department(WRO),
Sitraru Basin Division, Tenkasi,
Tenkasi District.
2. The Assistant Executive Engineer,
Public Works Department(WRO),
Sitraru Basin Division,
Alangulam Sub Division,
Tenkasi District.
3. The Assistant Engineer,
Public Works Department(WRO),
Sitraru Basin Section,
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G.R.SWAMINATHAN,J.

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