



W.P(MD)No.22910 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition(MD)No.22910 of 2025

and

W.M.P(MD)No.17987 & 17988 of 2025

Aasai Thambi

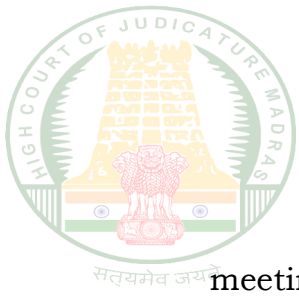
... Petitioner

Vs.

- 1.The Secretary to Government,
Animal Husbandry, Dairying Fisheries and
Fishermen Welfare Department,
St.George Fort, Secretariat,
Chennai - 600009.
- 2.The Assistant Director of Fisheries and
Fishermen Welfare Virudhunagar,
Virudhunagar District.
- 3.The Administrator/Inspector of Fisheries,
Q 645 Rajapalyam Taluk Inland Fishermen,
Co-operative Society,
Rajapalayam, Virudhunagar,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the 2nd Respondent from leasing out the fishery rights of the 13 Kanmai's in Rajapalayam Taluk, in the proposed Special General Assembly



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meeting of the 3rd respondent to be held on 23.08.2025, to the 3rd respondent society as per the paper notification and a consequential direction directing the respondents 1 to 3 to conduct public auction for the Fishery rights of the proposed 13 Kanmais in Rajapalayam Taluk by following the appropriate procedure within the time frame fixed by this court.

For Petitioner : Mrs.Lakshmi Gopinath for
M/s.Polax Legal Solutions

For Respondents : Mr.D.Gandhiraj
Spl. Govt. Pleader

ORDER

In this writ petition, the petitioner has challenged the notice dated 12.08.2025 issued by the Administrator, who was appointed as the Special Officer of the third respondent-Q 645 Rajapalayam Taluk Inland Fishermen Co-operative Society, Rajapalayam. By the impugned notice, the Special Officer had called upon the members of the society to attend a meeting for the purpose of taking a firm decision to obtain lease rights in respect of 13 ponds.

2. The learned counsel for the official respondents submitted that the said meeting has been cancelled.

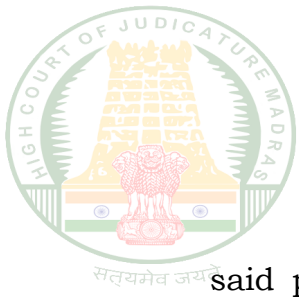


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3. The learned counsel for the petitioner, however, invited the attention of this Court to G.O.Ms.No.05, Animal Husbandry, Dairying, Fisheries and Fishermen Welfare (FS.6-1) Department, dated 30.01.2025, and submitted that the third respondent has no authority to grant fishing rights contrary to the said Government Order. It is further submitted that the society, having been converted into a fishermen society, is not eligible to claim the benefit of the aforesaid Government Order. It is also contended that the third respondent cannot, on its own, confer fishing rights on its members, since the concerned ponds fall under the control of the Public Works Department. According to the petitioner, the licence/rights must be granted only by the second respondent, strictly in terms of the aforesaid Government Order, which itself was issued pursuant to the orders of this Court in W.P.(MD) No.5485 of 2020 and W.P.No.6819 of 2023.

4. Considering the above, since the Special Officer alone was in charge of the third respondent society on 08.08.2025, there shall be a direction to the third respondent to call for a meeting for the purpose of preparing the electoral roll of the society, thereafter fix a date for election, and proceed to declare the results of the office-bearers of the society in accordance with its bye-laws. Only upon completion of the



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said process, the duly elected body of the third respondent society shall process for the auction of the fishery rights.

5. In the meantime, the fishery rights shall be auctioned by the second respondent in favour of the highest bidder, strictly in accordance with law. It is made clear that the second respondent shall ensure that the entire election process of the third respondent society is completed within a period of six months from the date of receipt of a copy of this order, so that the management of the society vests with the duly elected body.

6. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

21.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1.The Secretary to Government,
Animal Husbandry, Dairying Fisheries and
Fishermen Welfare Department,
St.George Fort, Secretariat,
Chennai - 600009.



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- 2.The Assistant Director of Fisheries and
Fishermen Welfare Virudhunagar,
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- 3.The Administrator/Inspector of Fisheries,
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C.SARAVANAN, J.

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