



W.P(MD)No.3238 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2026

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.3238 of 2026

and

W.M.P(MD)Nos.2666 & 2667 of 2026

- 1.Saravanan Mariappan
- 2.Jeyachandran Arumugam
- 3.Vaduganathan Thangarasu
- 4.Thirumalai Govindasamy

.. Petitioner

Vs

- 1.The District Collector,
Pudukkottai Collectorate,
Pudukkottai - 622 005.
- 2.The Regional Divisional Officer,
Pudukkottai District,
Pudukkottai - 622 005.
- 3.The Regional Divisional Officer,
Aranthangi.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned proceedings in Na.Ka.No. 3918380/2025/D4 dated 14.01.2026 issued by the first respondent and to quash the same as illegal, and irrelevant.



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For Petitioners : M/s Vijaya Lakshmi Raju

For Respondents : Mr.S.S.Madhavan

Govt. Advocate for R1 & R2

ORDER

The petitioner challenges the proceedings dated 14.01.2026 issued by the first respondent. By the said proceedings, two separate committees were constituted one for administrative purposes and another for audit purposes and the Assistant Director of the Fisheries Department was authorized to conduct a public auction for leasing out the right to collect fees in respect of the Fish Market situated at R. Pudupattinam Village, Avudaiyarkovil Taluk, Pudukkottai District.

2. The petitioners contend that the villagers of R. Pudupattinam have, from time immemorial, been managing and running the said Fish Market in accordance with customary practices. According to them, the fees collected from the Fish Market are utilized for the welfare and developmental activities of the village. On that premise, it is argued that the impugned proceedings permitting the conduct of a public auction for leasing out the Fish Market are contrary to long standing custom and practice and are therefore liable to be interfered with.



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3. The learned Additional Government Pleader appearing for the respondents placed reliance on the provisions of the Tamil Nadu Panchayats (Procedure for Conducting Auction of Leases and Sales in Panchayats) Rules, 2001. As per Rule 3 of the said Rules, the Village Panchayat is empowered to sell, by way of public auction, any unusable or unserviceable article as specified in clause (9) of sub-rule (2), having an estimated value exceeding Rs.100/-. The Rules further contemplate auctioning of various rights, including the right to collect fees in public markets. The right to collect fees in a Fish Market squarely falls within the category of rights that may be leased out through public auction under the statutory framework.

4. When the statutory Rules expressly provide for leasing out, by way of public auction, the right to collect fees in public markets including Fish Markets, the claim of the petitioners to continue managing the Fish Market solely on the basis of customary practice cannot be sustained. Customary practices, even if longstanding, cannot override or supplant statutory provisions framed under the governing enactment.

5. In view of the specific statutory scheme governing the conduct of auctions and leasing of market rights by the Panchayat, permitting the petitioners to run the Fish Market dehors the Rules



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would be contrary to law. This Court finds no infirmity in the impugned proceedings dated 14.01.2026 issued by the first respondent.

6. Accordingly, the Writ Petition is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

02.03.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

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HEMANT CHANDANGOUDAR, J.

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