



WP CRL.(MD). No.1324 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05/03/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

WP CRL.(MD). No.1324 of 2026
and
WMP.CRL(MD)No.328 of 2026

Prakash

... Petitioner

Vs

1. The Director of Fisheries and Fishermen
Welfare Integrated Animal Husbandry and Fisheries Building,
Chennai 600 009.

2. The District Collector,
Thoothukudi District,
Thoothukudi.

3. The Superintendent of Police,
Tuticorin District,
Tuticorin.

4. The Assistant Director of Fisheries and
Fishermen Welfare, Fishing Harbour Management,
Thoothukudi.

5. State of Tamilnadu Rep by Inspector of Police,
Thoothukudi North Police Station,
Tuticorin.

6. The President,
Vadapagam Naatu Padagu Meenavar
Panchayathar, Tuticorin.

... Respondents



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PRAYER :-

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To issue a Writ of Mandamus, directing the 1st to 5th respondent to take action against the sixth respondent and consequently directing the 1st to 5th respondents to provide necessary protection for the petitioner to park his boat at Threspuram Beach/harbour, venture into the sea for fishing and sell the petitioner's catch without any hindrance from the sixth respondent based on the petitioner's representation dated 02.02.2026, 05.02.2026 and 26.02.2026 within a time limit stipulated by this Court.

For Petitioner : Mr. A. Sheik Nasurdeen,
Advocate.

For Respondent : Mr.C.Satheesh for R1, R2 and R4
Government Advocate (Civil Side)

Mr.M.Sakthi Kumar for R3 and R5
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed to issue a Writ of Mandamus, directing the 1st to 5th respondent to take action against the 6th respondent and consequently directing the 1st to 5th respondents to provide necessary protection for the petitioner to park his boat at Threspuram Beach/harbour, venture into the sea for fishing and sell the petitioner's catch without any hindrance from the sixth respondent based on the



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petitioner's representation dated 02.02.2026, 05.02.2026 and 26.02.2026 within a time limit stipulated by this Court.

2. Considering the limited scope of the relief sought for, notice to the sixth respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner is the owner of an FRP Vallam Motorised boat with IVE, duly registered with the authorities (Registration No.IND-TN-12-MO-6708 and License No.TNL250893/24 dated 24.06.2024) he also possessed valid fisherman identity card issued by the Government of Tamil Nadu and both him and his wife are members of Lourduammalpuram Fishermen Cooperative Society. However, the 6th respondent is hindering the petitioners fishing avocation and in this regard the petitioner has made a representations dated 02.02.2026, 05.02.2026 and 26.02.2026 and so were given and the same is not considered.

4. 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



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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.

5. In the light of the above observations, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 26.02.2026, on its own merits and pass appropriate orders in accordance with law, after giving notice to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks 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.

6. With the above observations and directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition stands closed.



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05.03.2026

NCC : yes / no
Index : yes / no

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L. VICTORIA GOWRI, J

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ORDER
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