



WA(MD)No.516 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10.04.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA(MD)No.516 of 2026
and
CMP(MD)No.4683 of 2026

G.Devaraj

... Appellant

Vs.

1. The Executive Engineer,
Water Resource Organization /
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam - 626 117,
Virudhunagar District.

2. The Assistant Executive Engineer,
Water Resource Organization /
Public Works Department,
Mel Vaippar Basin Division,
Rajapalayam - 626 117,
Virudhunagar District.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against
the order made in W.P(MD)No.33854 of 2025 dated 16.03.2026.

For Appellant

: Mr.M.Saravanakumar



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For Respondents

: Mr.Veera Kathiravan

Additional Advocate General, assisted by
Mr.A.Kannan, Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge extending the lease period only upto 31.03.2026, the writ petitioner has filed this appeal.

2. The appellant was originally granted fishery lease for the period from from 01.07.2020 to 30.06.2025 in respect of Karungulam Tank at Rajapalayam Taluk, Virudhunagar District and relying upon G.O.(Ms)No.201, Animal Husbandry and Fisheries (FSIV) Department, dated 19.10.2017, the appellant sought extension on the ground that for the years 2020 and 2023, Virudhunagar District was declared as drought affected area. The Writ Court found from the Notification dated 12.07.2023 published in the Tamil Nadu Government Gazette that only Narikudi and Tiruchuli Taluks of Virudhunagar District alone were notified as having agricultural drought of a moderate nature and not the



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entire district of Virudhunagar and negated the contention of the appellant in this regard. However, considering the delay in conducting the auction and the subsequent COVID-19 pandemic period, the Writ Court held that the appellant is entitled to extension of lease. However, finding that the appellant is already in excess possession and enjoyment of the leasehold rights for nearly eight months, the Court permitted the appellant to exercise fishing rights till 31.03.2026. As against the said order, this appeal is filed.

3. Learned Additional Advocate General appearing for the respondents would submit that after expiry of the lease period extended by this Court, the respondents took symbolic possession of the tank in question and public auction has been conducted and a third party has been given lease, but because of the upcoming general election to the State of Tamil Nadu, orders could not be issued to the subsequent lessee.

4. Heard both sides and perused the materials available on record.



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5. Though G.O.(Ms)No.201 states that during the lease period, if any one of the years is declared as Drought Year by the Government and the lease amount has been paid by the lessee for the particular year in advance, then the lease period shall be extended by one year without lease amount, in this case, as rightly pointed out by the Writ Court, only Narikudi and Tiruchuli Taluks of Virudhunagar District alone were notified as having agricultural drought of a moderate nature and not the entire district of Virudhunagar. However, taking note of the delay in handing over possession and also considering the fact that the appellant was already in excess possession and enjoyment of leasehold rights for nearly eight months, the Writ Court extended the fishery lease period until 31.03.2026. Further, now third party right is created in view of the conduct of public auction. Thus, we do not find any infirmity in the impugned order.

6. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
10.04.2026

Index : Yes / No

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