



W.P.(MD)No.33152 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.33152 of 2025

and

W.M.P.(MD)Nos.26164 and 26165 of 2025

Vadukapatti Nanthiyaalpuram and
Pottai Vannaankulam Water Users Association,
Rep by President,
Muthuvel. ... Petitioner

vs.

1.The Secretary to Government,
Public Work Department,
Fort St.George, Chennai 9.

2.The District Collector,
Theni District.

3.The Executive Engineer,
Public Work Department,
Theni.

4.The Assistant Engineer,
Public Work Department,
Water Resource Department,
Irrigation Division,
Periyakulam, Theni



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5. The Assistant Director of Fisheries,
Vaigaidam, Theni.

6. Siva Kumar

7. Senthil Kumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned Auction dated 09.10.2025 of 4th respondent in Lr.No.Ko-20/2025/AE(Pa.PI) dated 19.09.2025 signed on 19.09.2025, quash the same in so far as bringing Nanthiyapuram Kanmoi and Pottakulam Kanmoi, Melmangalam Village, Periyakulam, Theni District, mentioned in Sl.No.1 and 2 into public auction on 09.10.2025, is concerned and consequently forbear the respondents herein from interfering with the ryats of members of Petitioner Association.

For Petitioner	:Mr.R.Murali for Mr.T.Villavan Kothan
For R1 to R5	:Mr.M.Mahaboob Athiff Government Advocate
For R6	:Dr.R.Alagumani



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ORDER

The petitioner challenges the auction notice issued by the fourth respondent inviting bids for the grant of fishing rights in Nanthiyapuram Kanmoi and Pottakulam Kanmoi situated in Melmangalam Village, Periyakulam Taluk, Theni District.

2.Pursuant to the impugned auction notification, the sixth respondent emerged as the successful bidder and was awarded the contract for exploitation of the fishing rights for a period of one year. It is not in dispute that, as on the date of hearing, more than eight months of the contract period have already elapsed.

3.The principal contention of the petitioner is that the impugned auction is vitiated for non-compliance with Section 9(3) of the Tamil Nadu Transparency in Tenders Act, 1998, inasmuch as the auction notice was not published in any newspaper. It is further contended that no upset price was fixed prior to the conduct of the auction.



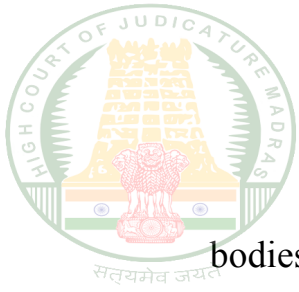
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4.Per contra, Mr. M. Mahaboob Athiff, learned Government Advocate appearing for respondents 1 to 5, submitted that the grant of fishing rights in water bodies is governed by the relevant Revenue Standing Orders and not by the provisions of the Tamil Nadu Transparency in Tenders Act, 1998. He further submitted that the earnest money deposit was determined on the basis of the upset price fixed by the competent committee and, therefore, the contention that no upset price was fixed is factually incorrect.

5.Dr. R. Alagumani, learned counsel appearing for the sixth respondent, submitted that pursuant to the impugned auction notice, the sixth respondent was declared the successful bidder and was awarded the contract. It was further submitted that the petitioner has not challenged the consequential order awarding the contract in favour of the sixth respondent and has confined the challenge only to the auction notification.

6.This Court finds considerable force in the submissions made on behalf of the respondents. The grant of fishing rights in public water



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bodies is governed by the applicable Revenue Standing Orders and not by the provisions of the Tamil Nadu Transparency in Tenders Act, 1998.

Therefore, the challenge founded upon the alleged non-compliance with Section 9(3) of the said Act cannot be sustained.

7. Apart from the above, it is an admitted fact that the contract has already been awarded in favour of the sixth respondent and a substantial portion of the contractual period has elapsed. Significantly, the petitioner has not challenged the consequential order awarding the contract to the sixth respondent. In the absence of a challenge to the concluded contract, the writ petition, directed solely against the auction notification, is not maintainable.

8. For all the aforesaid reasons, this Court finds no merit in the writ petition.

9. Accordingly, the writ petition stands dismissed.



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10. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

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HEMANT CHANDANGOUDAR, J.

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