

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9057 of 2016

National Agriculturists Awareness Movement (NAAM)
rep. by its District Organiser G.A.Rajendran,
Block M, D-115 TNHB,
Azhagapuram Unit,
Salem-636 007. Petitioner

Vs.

- 1.The Secretary to the Government,
Agricultural Department,
Fort St.George,
Chennai-600 009.
- 2.The Secretary to the Government,
Public Health & Family Welfare Department,
Chennai-600 009.
- 3.The Commissioner of Food Safety,
No.359, Anna Salai,
Teynampet,
Chennai-600 006.
- 4.The Registrar of Co-operative Societies,
Kilpauk, Chennai-600 010.
- 5.The District Collector,
Salem District,
Salem-636 001.
- 6.The Commissioner/Director
Department of Agricultural Marketing & Agri Business
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai-600 032.
- 7.The Secretary,
Salem Market Committee,
Ariyampalaym Road,
Uthamasolapuram Post,
Choolaimedu,
Salem-636 010.

8.The Managing Director,
Sagosome,
Jagirammalayam,
Omalur Main Road,
Salem-636 302.

9.The Government of India
through its Secretary to Government,
Department of Health and Family Welfare,
7B, Motilal Nehru Marg,
New Delhi-110 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to consider the representation dated 11.12.2015 given by the petitioner to take remedial measures to set up regulating committee for procuring Tapioca from the farmers within a time frame.

For Petitioners : Mr.A.V.Arun
For respondents : Mr.R.A.S.Senthilvel, AGP
(For RR1 to 3, 5 to 7 & 9)

Mr.L.P.Shanmugasundaram
(For R4 & R8)

ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to consider the representation dated 11.12.2015 given by the petitioner to take remedial measures to set up regulating committee for procuring Tapioca from the farmers within a time frame.

2.In the affidavit filed in support of the writ petition, it has been averred by the petitioner as follows

2-1.2-1.The petitioner Association has been founded with an object of protecting the interest of the agriculturists and making them aware of their rights under the various schemes for their welfare and in general to promote the agriculture. The members of the petitioner Association are agriculturists. Insofar as Salem District is concerned, there are about 400 members of the petitioner Association, cultivating Tapioca and they are all dependent upon the harvest of Tapioca which is used for preparation of Sago. The Tapioca growers are dependent upon the manufacturers of Sago as the Tapioca is the raw material for preparing Sago. Sago is the low cost food and consumed in most parts of the

country by poor and needy. It is an easy food which is affordable and hence, Tapioca is a wanted product and the demand for the same is high. In the recent past, the Sago Manufacturers have increased in many folds and especially in Salem and Namakkal Districts. The large scale manufacturers used to dump huge quantity of Sago made from the tapioca and thus, they create an artificial situation for the farmers to accept the price for Tapioca as fixed by them. There are about 240 mills in Salem District for manufacturing Sago and out of 240 mills, there are about 20 to 25 large scale manufacturers and others are small scale sago manufacturers. There are certain standards prescribed for the Sago Manufacturers under Food Safety and Standards Act, 2006. Under the said Act, a Designated Officer is appointed in every District and vested with certain powers for the food products' safety. The designated officer of Salem District has been making deliberate information in the media that all sago manufacturers in small scale units are adulterated and that the consumer of sago would be affected with the dangerous deceased like cancer etc., as the wet starch prepared from the raw material Tapioca are washed with chlorine and other chemicals. Now, considering the present situation, immediate action shall be taken by the Government to set up a regulating committee for procurement of Tapioca at a reasonable price, otherwise, the agricultural product could go waste. In this regard, the petitioner made a representation dated 11.12.2015 to the Government to take immediate action. Since the said representation was not considered by the respondents, the petitioner has come forward with the present writ petition before this Court for the relief as stated supra.

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

4. Considering the limited scope of the prayer sought for in the writ petition, without expressing any opinion on the claim of the petitioner, this Court directs the 1st respondent to consider the representation dated 11.12.2015 given by the petitioner and pass appropriate orders, after affording opportunity of personal hearing to the petitioner as well as to all other necessary parties, if any, in the light of provisions of Agricultural Produce Marketing (Regulation), Act, 1987, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.

No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to the Government,
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Chennai-600 009.
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Thiru.Vi.Ka.Industrial Estate,
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 - 7.The Secretary to Government,
Government of India
Department of Health and Family Welfare,
7B, Motilal Nehru Marg,
New Delhi-110 001.
- +1 cc to M/s.A.V.Arun, Advocate, sr.15507
+1 cc to M/s.L.P.Shanmughasundaram, Advocate, sr.15906
+1 cc to Government Pleader, sr.15717

W.P.No.9057 of 2016

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