

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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Public Interest Litigation No.226 of 2015

Date:22.2.2016

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Between:

Chetupally Muralidhar,
Nallabelli Mandal,
Warangal District.

.....Petitioner

And

State of Telangana,
Represented by the Principal Secretary,
Agriculture Department,
Hyderabad and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
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Public Interest Litigation No.226 of 2015

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PC:(Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard Mr. A. Prabhakar Rao, learned counsel for the petitioner and Mr. S. Sharath, learned Special Government Pleader for the State of Telangana for the respondents.

In the instant petition, the petitioner seeks the following prayer:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction, particularly one in the nature of Writ of Mandamus declaring the action of the respondents in selecting the beneficiaries of their choice for allotment of agricultural implements such as Tractor and Rotovator with 54 blades in contrary to the guidelines dated 29.1.2015 issued for selection of beneficiary for implementation of Farm Mechanization Scheme during the year 2014-15, as illegal, arbitrary and consequently direct the respondents to cancel the allotments made by the respondents in favour of beneficiaries of their choice and make selections of the beneficiaries as per the guidelines issued for implementation of Farm Mechanization Scheme, 2014-15 and to pass such other order or orders as this Hon'ble Court may deem fit, just and proper in the circumstances of the case.”

We have perused the Farm Mechanisation Scheme (Annexure-P1), for the year 2014-15. We are informed that the benefits of the Scheme have been extended to more than fifty farmers. The beneficiaries are not parties to the present petition. That apart, the instant P.I.L. itself was filed more than three months after the Scheme was closed for the year 2014-15. In view thereof, we are not

inclined to interfere with the allotments already made in pursuance of the scheme. We however, examined the submissions made by Mr. A. Prabhakar Rao, learned counsel for the petitioner, who vehemently submitted that the procedure as contemplated under the Scheme was not followed. He submits that every year, the respondents float the Scheme and extend the benefits thereunder.

We have perused the Scheme and we find that a procedure has been prescribed for making the farmers aware of the benefits at village level. Though in the counter affidavit, the respondents have stated that they followed the due procedure and also published the information about the Scheme in the newspapers, we are not satisfied with the manner in which they have been giving publicity to the Scheme inviting applications from the deserving farmers. In view thereof, Mr. A. Prabhakar Rao, learned counsel for the petitioner submits that the petitioner would be satisfied if observations are made in respect of the procedure to be followed for extending the benefits of similar Scheme for the current year and in future.

Having regard to the Scheme and the benefits to be extended under the said Scheme and so also, the submissions made by learned counsel for the parties, we dispose of this petition by the following order:

“1. The concerned authority, shall give sufficient publicity to the Scheme, either by way of paper advertisement and/or beat of drum (tom-tom) in the villages covered by the Scheme, giving them all the information, including the last date for making applications for the benefits under the Scheme. After inviting the applications, the concerned authority shall follow the procedure contemplated under the Scheme (2014-15) and select the deserving farmers for extending the benefits of the Scheme.”

With these observations, the Public Interest Litigation is disposed of.

Consequently, pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

22nd February, 2016

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