

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.22990 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the respondent in interfering with the manufacturing, sale and distribution of bio-products of petitioner-Firm, i.e., Rose Magic, Vaagu, Fair, Nidhi, 3D, 4D, BPH-Control, Pest Down, Weed Out, Vishwa, Bacteria Battler, Fungal Fighter, Virus Warrior, Arohi, Magic Floowers, Agraja, Antique, Fair, Nathan & Vihari by issuing Memo No.PP.II(1)2085/2005, dated 21.01.2006 and Letter No.PP.II(1)2085/2005, dated 21.01.2006 as being illegal, arbitrary, unconstitutional, without jurisdiction and further direct the respondent not to interfere with in any manner in the manufacturing, sale and distribution of bio-products including from the licensed premises of the dealers/stockists under the Insecticides Act, 1968 and the Fertilizers Control (Order) Act, 1985.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Agriculture.

3. Learned counsel for the petitioner states that the subject matter in this writ petition is squarely covered by the common order passed by this Court in W.P.No.25293 of 2014 and batch dated 10.07.2015. He further submitted that this Court followed the same decision in W.P.No.5374 of 2016. It is not the case of the respondents that the orders passed by this Court in Writ Petition No.25293 of 2014 and batch has been stayed or suspended as on today. Therefore, it is binding on the respondents.

4. Accordingly, this writ petition is disposed of in accordance with and in terms of the orders of this Court dated 10.07.2015 in W.P.No.25293 of 2014 and batch. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

July 25, 2016.
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T.SUNIL CHOWDARY, J