

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2017

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.3958 of 2017
and
W.M.P.No.4037 of 2017

R.V.Sampath

... Petitioner

Vs.

1. The Additional Director of Agriculture
Thiruvannamalai,
Thiruvannamalai District.
2. The Joint Director of Agriculture/
Project Director,
Agricultural Technology Management
Agency (ATMA),
Thiruvannamalai,
Thiruvannamalai District.
3. The District Collector
Thiruvannamalai District,
Thiruvannamalai.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from removing the petitioner from the post of President of Agricultural Technology Management Agency in respect of Melpennathur Village, Chengam Block, Thiruvannamalai District.

For Petitioner : Mr.R.Chandrasekaran

For Respondents : Mrs.M.E.Rani Selvam
Additional Government Pleader

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O R D E R

By consent, the writ petition is taken up for final disposal. Mrs.M.E.Rani Selvam, learned Additional Government Pleader accepts notice on behalf of the respondents.

2.The petitioner would aver that the Government of India had invited a Scheme called "Extension Reforms Scheme" during 2005-2006 through the Agricultural Technology Management Agency

(ATMA) covering 381 blocks by the Tamil Nadu Watershed Development Agency (TAWDEVA) which is the State Nodal Agency.

3.The functions of ATMA is to involve in agricultural activities for sustainable agricultural development in the district and it is intended for integrating research and extension activities and decentralizing day-to-day management of the public Agricultural Technology System (ATS). It is also responsible for technology dissemination at the district level. The petitioner is also entitled to receive and expand funds, entering into contracts and agreements and maintaining revolving accounts, which can be used to collect fees and thereby recovers operating cost and it is having a linkage with all the line departments, research, non-governmental organizations and agencies associated with agricultural development in the district.

4.This Scheme was funded by the Central and State Government in the ratio of 90:10 and the main aim of the ATMA is to decentralize the decision making to the block level, to increase the farmers participation in the programme planning and resource allocation and to increase the accountability of stakeholders by converging the programmes of all line departments.

5.The petitioner would further aver that he was selected as the President of ATMA on 26.02.2013 and the grievance expressed by him were that on an earlier occasion, he filed W.P.No.6671 of 2013 praying for a direction to permit him to sign in the cheques as co-signatory and a positive direction was granted and aggrieved by the same, false complaints are being given and under that pretext, the respondents are taking emergent steps to remove him from the post of President.

6.Mr.R.Chandrasekaran, learned counsel for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that on behalf of the petitioner, a Lawyer's Notice dated 18.10.2014 was also sent to the third respondent, who vide letter dated 3.12.2014 in No.ne/K/c/(nt) / 158/2014, has informed the petitioner that no such proposal has been received in their office for removal of the petitioner and since his apprehension is genuine, prays for appropriate orders.

7.Per contra, the learned Additional Government Pleader appearing for the respondents would contend that the petitioner has not even produced an iota of material to prove his apprehension and it is nothing but imaginary and illusory and prays for dismissal of the writ petition.

8.This Court has considered the rival submissions and also perused the materials placed before it.

9. Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the case, permits the petitioner to submit a representation to the respondents 1 to 3 as to the apprehension faced by him, within a period of two weeks from the date of receipt of a copy of this order. The respondents 1 to 3, upon receipt of the said representation, shall put the concerned persons on notice and give a disposal to the same, within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as to the persons concerned.

10. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is also closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Director of Agriculture
Thiruvannamalai,
Thiruvannamalai District.
2. The Joint Director of Agriculture/
Project Director,
Agricultural Technology Management
Agency (ATMA),
Thiruvannamalai,
Thiruvannamalai District.
3. The District Collector
Thiruvannamalai District,
Thiruvannamalai.

+1cc to Mr.R.Chandrasekaran, Advocate, S.R.No.10465
+1cc to the Government Pleader, S.R.No.10724

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PA(CO)
CA(22/02/2017)