

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.12042 of 2017

ORDER:

Heard Sri Vedula Srinivas, learned counsel for the petitioner and the learned Government Pleader for Agriculture for the respondents.

2. Followed by a show-cause notice dated 30.09.2016 issued by the Joint Director of Agriculture, Khammam and submission of explanation of the petitioner on 26.10.2016, the District Agriculture Officer, Khammam/third respondent herein issued a memo dated 15.10.2016 cancelling license of the petitioner under Clause 15 of Seed Control Order, 1983.

3. Assailing the validity of the said order, W.P.No.37965 of 2016 was filed before this Court. This Court, disposed of the said writ petition on 04.04.2016, setting aside the said Memo dated 15.10.2016 and remanded the matter to the Joint Director of Agriculture for fresh disposal within a week, after considering the explanation given by the petitioner, while directing the petitioner herein to sell licensed and certified/standard seeds to farmers having regard to the nature of allegations levelled and to prevent abuse of licence during and in the course of enquiry,.

4. It is not in dispute that no orders have been passed by the authorities pursuant to the said orders of this Court dated 04.04.2016 in W.P.No.37965/2016.

5. Petitioner herein applied for renewal of licence on 17.03.2017 and submitted an application to the fourth respondent and the Mandal Agricultural Officer, Yellandu Mandal vide letter dated 23.03.2017 submitted the proposals to the District Agriculture Officer, Bhadadri, Kothagudem District.

The Assistant Director of Agriculture, Yellandu Division forwarded the same on 24.03.2017. According to the learned counsel for the petitioner, neither the authorities passed any orders pursuant to the orders of this Court in W.P.No.37965 of 2016 nor they have taken any action on the application submitted by the petitioner herein for renewal and kept the petitioner in suspended animation for no fault of the petitioner herein.

6. On the other hand, it is submitted by the learned Government Pleader that due to reorganisation of the Districts appropriate action could not be taken so far and the authorities would consider the request of the petitioner, in accordance with law. This Court finds absolutely no justification on the part of the respondent authorities in keeping the renewal application pending.

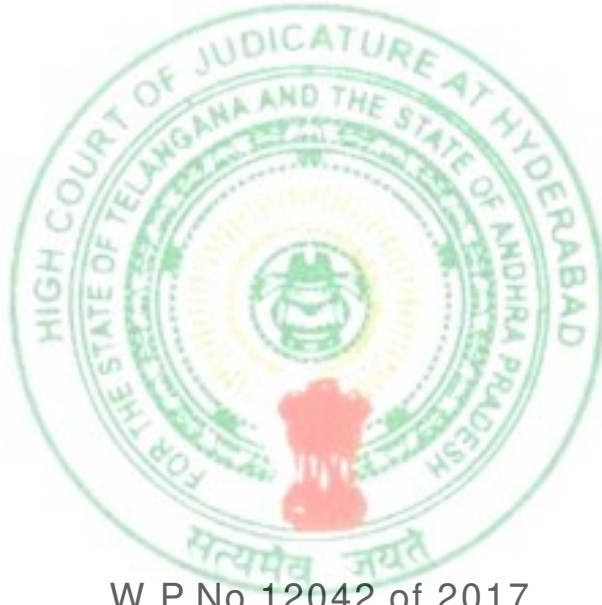
7. For the aforesaid reasons, the writ petition is disposed of, directing the District Agriculture Officer/fourth respondent herein to consider the case of the petitioner herein for renewal of license under the provisions of the Seed Control Order, 1983 and the Seeds Act, 1966 on the basis of the application of the petitioner herein dated 17.03.2017, in accordance with law, within a period of two weeks from the date of receipt of this order. As a sequel, miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI , J

Date:19.04.2017

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W.P.No.12042 of 2017

Dated: 19.04.2017

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