

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.12648 of 2010
and
M.P.Nos.1 and 2 of 2010

S.Nandhakumar

... Petitioner

Vs

- 1.The Director of Horticulture & Plantation Crops,
Chepauk, Chennai-600 005.
- 2.The Project Director,
Hill Area Development Programme,
Udhagamandalam.
- 3.The Joint Director of Horticulture
Raja Park, Udhagamandalam.
- 4.The Assistant Director of Horticulture,
Raja Park, Udhagamandalam.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 4 to provide subsidy to the petitioner for purchase of Carrot Washing Machine based on G.O.Ms.No.93 dated 18.09.2008 of Planning Development and Special Initiatives (TCII) Department as extended to others.

For Petitioner : Mr.Silambanan for
M/s.Profexs Associates

For Respondents : Mr.J.Ramesh, AGP

ORDER

The relief sought for in this writ petition is to direct the respondents 1 to 4 to provide subsidy to the petitioner for purchase of Carrot Washing Machine, based on G.O.Ms.No.93, Planning, Development and Special Initiatives (TC II) Department, dated 18.09.2008.

2. According to the learned counsel for the petitioner, the Government vide G.O.Ms.No.93 dated 18.09.2008 accorded sanction for implementation of various Horticulture Development Schemes in the Nilgiris District, as per which, assistance will be provided for Automated Post Harvest handling unit or Washing/Sorting of fresh vegetables- construction of water storage tank - drying yard, etc. in priority watershed area to the tune of Rs.30 lakhs for 5 numbers of machines and the said Scheme is still in force. For claiming the said benefit, the petitioner already submitted a representation to the respondents, which was not considered so far. Hence, this writ petition.

3. The learned Additional Government Pleader appearing for the respondents submitted that the copy of the representation did not find place in the typed set of papers filed along with this writ petition and hence, if the petitioner approaches the respondents with a copy of the representation, the same would be considered, on merits and in accordance with law, within a time frame to be fixed by this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the petitioner to approach the respondents with a copy of the representation, along with a copy of this order within a period of two weeks from the date of receipt of the same. On such approach, the respondents are directed to dispose of the same, if not already disposed of, on merits and in accordance with law and also in the light of G.O.Ms.No.93, Planning, Development and Special Initiatives (TC II) Department, dated 18.09.2008, within a period of six weeks thereafter.

5. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

सत्यमेव जयते

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rk

To

1.The Director of Horticulture & Plantation Crops,
Chepauk, Chennai-600 005.

2.The Project Director,
Hill Area Development Programme,
Udhagamandalam.

3.The Joint Director of Horticulture
Roja Park, Udhagamandalam.

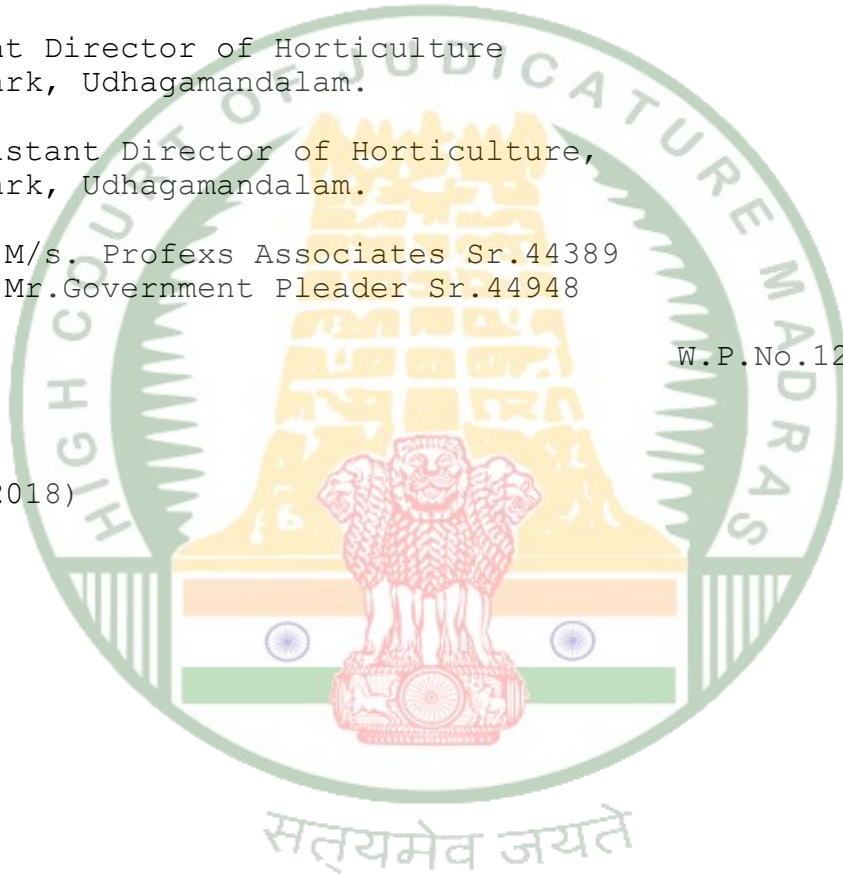
4.The Assistant Director of Horticulture,
Roja Park, Udhagamandalam.

+ 1 cc to M/s. Profexs Associates Sr.44389

+ 1 cc to Mr.Government Pleader Sr.44948

W.P.No.12648 of 2010

(CS-IV)
EU(03/09/2018)



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