



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. (MD) No. 22737 of 2018

N. Muthukumar

... Petitioner

-vs-

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Assistant Director of Agriculture,
Block Agricultural Extension Centre,
Ilayankudi,
Sivagangai District.

3. Kanniyappan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the First and Second Respondents herein to recover the total subsidy amount of Rs.1,65,000/- from the Third Respondent herein, which has been provided for buying the total number of 6 Milch-cows under National Agricultural Development Scheme for the year 2015-2016 by considering the Petitioner's representation dated 25.10.2018.

For Petitioner : Mr. S. Mandhiralingeswaran
For Respondents 1 & 2 : Mr. A.K. Baskarapandian
Special Government Pleader

O R D E R

(Order of the Court was made by P.D.AUDIKEAVALU, J.)

The Petitioner, who is an agriculturist, has filed this Public Interest Litigation for directing the District Collector, Sivagangai District, Sivagangai and the Assistant Director of Agriculture, Ilayankudi to recover the subsidy amount of Rs.1,65,000/- from the Third Respondent herein, which has been provided for buying milch-cows under National Agricultural Development Scheme for the year 2015-2016. The complaint of the Petitioner is that the Third Respondent by creating bogus documents made the Second Respondent to provide six milch-cows to his family members alone.



2. The Learned Special Government Pleader, took notice for the First and Second Respondents during the earlier hearing on 14.11.2018 and notice was ordered to the Third Respondent.

3. When the matter is taken up for hearing today, the Learned Special Government Pleader on instructions states that on enquiries made, the following amounts have been found to be sanctioned to the family members of the Third Respondent for purchase of milch-cows:-

S. No.	Name of the Beneficiaries	Subsidy Sanctioned
1.	Mr. Kanniyappan, S/o. Udaiyar, Lakshmipuram	Rs.27,500/-
2.	Mrs. Rajamanickam, W/o. Kanniyappan, Lakshmipuram.	Rs.27,500/-
3.	Mr. Narayamoorthy, S/o. Kanniyappan, Lakshmpipuram.	Rs.27,500/-
4.	Mr. Rajasekar, S/o. Kanniyappan, Lakshmipuram.	Rs.27,500/-
5.	Mrs. Meghaladevi, W/o. Rajasekar, Lakshmipuram.	Rs.27,500/-
6.	Mrs. Ponmalar, W/o. Rajagopal, Lakshmipuram	Rs.27,500/-
	Total	Rs.1,65,000 /-

It is further stated that it has been ascertained that though the aforesaid six persons belong to the same family, separate ration cards in respect of three sets of families amongst them had been issued as they were not living as a joint family and the details of the same are furnished below:-

S. No.	Family Members	Proof Document
1.	Mr. Kanniyappan, S/o. Udaiyar Mrs. Rajamanickam, W/o. Kanniyappan Mr. Narayanamoorthy, S/o. Kanniyappan	Family Card No. 25/G0284938 (Other family members have been issued with separate Family Cards)
2.	Mr. Rajasekar, S/o. Kanniyappan Mrs. Meghaladevi, W/o. Rajasekar	Family Card No. 25/G/0284906
3.	Mrs. Ponmalar, W/o. Rajagopal	Acknowledgment Receipt bearing No. IK/16/05017 dated 25.07.2016 for having applied for separate Family Card.



However, having regard to the fact that in violation of the conditions for grant of subsidy, three of the family members of the Third Respondent, viz., Mrs. Rajamanickam, W/o. Kanniyappan, Thiru. Narayanamoorthy, S/o. Kanniyappan and Mrs. Meghaladevi, W/o. Rajasekar, had been erroneously granted the amounts, a sum of Rs.27,500/- each towards subsidy has to be recovered from them.

4. In view of the aforesaid submissions made, the First Respondent is directed to take necessary action against the concerned persons belonging to the family of the Third Respondent to whom subsidy of Rs.27,500/- each, totalling Rs.82,500/- had been erroneously advanced after giving due notice to them and file a report of such compliance before the Registrar (Judicial) of this Court by 28.02.2019.

5. The Writ Petition is disposed of on the aforesaid terms. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Collector,
Sivagangai District, Sivagangai.

2. The Assistant Director of Agriculture,
Block Agricultural Extension Centre,
Ilayankudi, Sivagangai District.

Copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Special Government Pleader, SR.No.98143.

VJT/SJ

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