

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2009

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

Writ Petition No.17321 of 2009
and
M.P.No.1 of 2009

N. Vasu

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

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent made in Lr.No.A839/2009 dated 13.07.2009 and quash the same and consequently 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.S. Silambannan, Senior Counsel
for M/s.Silambanan Associates

For Respondent : Mr.N. Srinivasan
Additional Government Pleader

O R D E R

This Writ Petition has been filed by N. Vasu, challenging the impugned order dated 13.07.2007 of the 3rd respondent made in Lr.No.A839/2009 and also 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.

2. The request of the petitioner for granting benefit of subsidy for purchase of Carrot Washing Machine is made based on two grounds. Firstly the grant of benefit of subsidy is not in force and secondly that was available only to Self help group and not to individual like the petitioner.

3. The learned Senior Counsel Mr.S. Silambannan, appearing for the petitioner submitted that the reasons given in the impugned order that the subsidy is available to the Self Help Group only and not applicable to the individuals is unjustifiable. Further, it is submitted that while pointing out that few individuals have been granted subsidy for Carrot Washing Machine from the Department of Horticulture at Udhagamandalam Taluk, the Joint Director has issued a reply dated 13.07.2009 stating that there is no scheme for providing subsidy for the machine already purchased by the petitioner and as per Hill Area Development Scheme, the Subsidy would be granted only to the Agricultural Associations and Self-Help Group and therefore the same cannot be granted to the individuals.

4. Per contra, detailed Counter Affidavit has been filed by the respondent stating that the petitioner is not eligible to avail the subsidy, as he had already procured the Carrot washing Machine and installed the same and also he obtained electrical connection to run the machinery. It is further submitted that there is no provision for grant of subsidy for the Units already purchased. The learned Counsel appearing for the third respondent submitted that the petitioner is unable to substantiate his case that the Subsidy Scheme is still in force.

5. Heard both sides. Perused the documents. It is pertinent to note that the petitioner has approached the 3rd Respondent/the Joint Director of Horticulture, Udhagamandalam seeking grant of subsidy after purchasing and installing the Carrot Washing machine at his end. Moreover, it is clear from the letter of the 3rd respondent made in Lr.No.A839/2009 dated 13.07.2009 that the Subsidy Scheme is only applicable to the Self Help Group and not to the individuals.

6. In view of the above facts, this Court finds no merits in this Writ Petition. Hence, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vrn

To

1. The Director of Horticulture & Plantation Crops
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Chennai - 600 005
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 3. The Joint Director of Horticulture
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 4. The Assistant Director of Horticulture
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- +1 cc to the Government Pleader, S.R.No.29130

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BR(CO)
SSM(30/04/2019).

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