



W.P(MD)No.13344 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13344 of 2022

M/s.Jain Irrigation Systems Ltd.,
Rep. by its Authorized Representative and
Senior Vice President,
J.Stephen Arul.

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Cooperation Food and
Consumer Protection,
Fort St.George, Secretariat,
Chennai – 9.
- 2.The Managing Director,
TANHODA (Micro Irrigation),
3rd Floor, Agricultural Complex,
Chepauk, Chennai – 600 005.
- 3.The Registrar of Cooperative Societies,
No.17, N.V.Natarajan Maaligai,
Periyar E.V.R.High Road,
Poonamallee High Road,
Kilpauk, Chennai – 10.
- 4.The Ramanathapuram District Central
Cooperative Bank,
Rep. by its Managing Director Cum Joint Registrar,
Head Office, Vandikaran Theru,
Ramanthapuram.



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5.The Regional Joint Registrar of Cooperative Societies,
Ramanathapuram.

6.The District Collector,
Ramanathapuram.

7.The Secretary,
Perungarai Primary Agricultural Cooperative
Bank P.O. - 623 608,
Paramakudi Taluk,
Ramanathapuram District.

8.The Secretary,
Kamuthi Primary Agricultural Cooperative Bank,
Kamuthi – 623 527,
Ramanathapuram District.

9.The Secretary,
Pudukkottai Primary Agricultural Cooperative Bank,
M.Pudukkottai,
Kamuthi Taluk – 623 607,
Ramanathapuram District.

10.The Secretary,
Q155, Kamankottai Primary Agricultural Cooperative Bank,
Kamankottai – 623 527,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents arrange to pay the outstanding dues of Rs.45,02,612 with 18 percent interest towards supply of drip irrigation precision farming materials supplied to respondents 7 to 10 for the eligible farmers being the Credit portion (40 percent) under the Pradhan Mantri Krishi Sinchayee Yojana (PMKSY) subsidy scheme.



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For Petitioner : Mr.M.S.Suresh Kumar

For Respondents : Mr.M.Senthil Ayyanar,
Govt. Advocate for R1 to R3 & R5 to R10.
Mr.D.Shanmugaraja Sethupathi for R4.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner is a supplier of drip irrigation system equipments. It appears that the respondents 7 to 10 had sent communications to the writ petitioner calling upon the writ petitioner to install drip irrigation system for the farmers mentioned in their respective communications. The grievance of the writ petitioner is that even though he had complied with the said requisition, his bills have not been settled in full. What he got was only only 60% under the scheme and the remaining 40% had not been settled. Only in the year 2021, a sum of Rs.3,39,000/- was alone paid to the writ petitioner. Seeking payment of the balance amount, the present writ petition has been filed.

3.When the matter was taken up for hearing, the learned Government Advocate as well as the learned standing counsel for strongly contended that the writ petitioner did not adhere to the standard operating procedure. A



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submission was also made that the equipments supplied by the petitioner were not of the requisite quality.

4.I am not able to appreciate the aforesaid submissions of the learned counsel for the respondents. Even according to the petitioner, he had received 60% of the amount. The petitioner is permitted to submit a fresh representation to the fifth respondent. The fifth respondent shall enquire into the same. The fifth respondent shall pass appropriate order directing the respondents 7 to 10 to settle the balance amount. If the respondents 7 to 10 are not able to pay the same, the said societies shall be ordered to be liquidated and from out of the liquidation funds, the petitioner's claim shall be settled.

5.The writ petition is disposed of accordingly. No costs.

24.08.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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