



W.P.No.26761 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.26761 of 2019

Nilgiri Potato & Vegetable Growers' Association
Rep. by its President R.Rangasamy
Having registered office at
284, Alexander Premises, 2nd Floor
Cash Bazaar, Udhagamandalam
The Nilgiris – 643 001.

.. Petitioner

Vs.

1. Agricultural Production Commissioner
and Principle Secretary to the Government
Government of Tamil Nadu
Namakkal Kavingnar Maaligai
Fort St. George, Chennai – 600 009.
2. Financial Controller
Agricultural Directorate
Chepauk, Chennai – 600 005.
3. Additional Director of Agriculture (seeds)
Department of Agriculture
Government of Tamil Nadu
Chepauk, Chennai – 600 005.



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4. Vice Chairman & Managing Director
Tamil Nadu State Seed Development Agency
Directorate of Agriculture, Chepauk
Chennai – 600 005.

5. The Additional Director
Agricultural Directorate
Chepauk, Chennai – 600 005.

6. The District Collector
Nilgiris – 643 001.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to dispose of the representation made by the petitioner, dated 27.06.2019 by framing a scheme for fixation of price under the Essential Commodities Act, 1995 for the seeds imported into India.

For the Petitioner : Ms.Abhirame
for Ms.V.Srimathi

For the Respondents : Mr.K.Karthik Jagannath
Government Advocate

ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.Abhirame, learned counsel appearing for Ms.V.Srimathi, learned counsel for the petitioner and Mr.K.Karthik Jagannath, learned Government Advocate for the respondents.



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2. Learned counsel for the petitioner submits that the petitioner has approached the respondents for framing a scheme so as to enable fixation of prices for the seeds imported under the Essential Commodities Act, 1955.

3. Counter affidavit is filed by the third respondent, stating that fixation of prices under the Essential Commodities Act, 1955 is the prerogative of the Central Government and the State Government has no role to play.

4. Learned counsel for the petitioner submits that in case the prices for the seeds are not fixed by the State Government, then the petitioner may be given the liberty to approach the Central Government.

5. In view of the affidavit filed, it is for the petitioner to approach the Central Government, as may be permissible under law.



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6. With these observations, the writ petition stands disposed of.

There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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