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W.P No.14526 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2024

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P No.14526 of 2022

S.Murugan

.... Petitioner

Vs

1. The Director of Agriculture,
O/o. Directorate of Agriculture,
Chepauk, Chennai – 600 005.

2. The Joint Director of Agriculture,
Collector Office Campus,
Villupuram.

3. The Assistant Director of Agriculture,
Mailam Block, Kooteripet,
Tindivanam Taluk,
Villupuram District.

.... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the respondents, particularly the third respondent to pay the subsidy amount for the following :

<i>Sl.No</i>	<i>Name</i>	<i>Qty</i>	<i>Period of Introduction</i>	<i>Above/Below years</i>	<i>Amount payable</i>
1.	Paddy TKN-13	1680 Kgs	Within 10 years	Below 10	Rs.13,440



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Sl.No	Name	Qty	Period of Introduction	Above/Below years	Amount payable
				years @ Rs.8/- Kg	
2.	Black Gram	795 Kgs	Within 10 years	Paid Rs.15/- Kg & yet to be paid Rs.10/ kg	Rs.7,950
3.	Black Gram	559 Kgs	Within 10 years	Paid Rs.15/- Kg yet to be paid Rs.10/- Kg	Rs.5,590
4.	Paddy ADT-39	2050 Kgs	Above 10 years	Payable @ Rs.6/- Kg	Rs.12,300
5.	Paddy NLR-33349	3100 Kgs	Within 10 years	Payable @ Rs.36/- Kg	Rs.1,11,600
6.	Paddy ADT-39	5000 Kgs	Above 10 years	Payable @ Rs.6/Kg	Rs.30,000
Total					Rs.1,80,800

on the basis of the petitioner's representation dated 25.04.2022.

For Petitioner : Mr.R.Thanjan
For Respondents : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the respondents to pay subsidy amount for the supply of Paddy and Black Gram by the petitioner.



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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner cultivated seeds with F-1 quality as per the instruction/guidelines issued by the third respondent. After cultivation of new or any other type of seeds, petitioner always used to supply the same to the third respondent as seeds of F-1 or F-2 and C quality, after undergoing the process to fix the quality and rate for the particular seeds including seeds of C quality. The petitioner had cultivated and supplied seeds right from 2019 till date to the third respondent. The petitioner had received respective payments as subsidy. The petitioner had purchased F-1 quality of seeds from the third respondent and he also cultivated the same for the purpose of seeds to sell to various farmers and also supplied the same to the third respondent. The petitioner had supplied seeds in the following manner:

<i>Sl.No</i>	<i>Name</i>	<i>Qty</i>	<i>Period of Introduction</i>	<i>Above/Below years</i>	<i>Amount payable</i>
1.	Paddy TKN-13	1680 Kgs	Within 10 years	Below 10 years @	Rs.13,440



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Total					Rs.1,80,800

4. Therefore, the petitioner submitted a representation seeking subsidy amount for supply of paddy and black gram.

5. A perusal of the counter filed by the second respondent reveals that the petitioner was paid subsidy to the tune of Rs.13,200/- in respect of first item of paddy instead of Rs.13,440/-. For the second and third items of black grams, the petitioner was paid a sum of Rs.20,310/-.



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The fourth item of paddy was released in the year 1998 and the date of notification was 1989. As the variety dates back to ten years, there is no provision to provide subsidy. Insofar as the fifth item of paddy is concerned, it is not upto the standard and as such, the petitioner was directed to take back his seeds. Insofar as the sixth item of paddy, it was also a variety which dates back to ten years and as such there is no provision to give subsidy.

6. A perusal of the reply affidavit filed by the petitioner reveals that insofar as the fourth and sixth items of paddy is concerned, all the agriculturists were paid subsidy except the petitioner, since the petitioner is the only person who is questioning the Agricultural Officers. Further, insofar as the fifth item of paddy is concerned, only after supervision of the second and third respondents, the supply of seeds and also inspection, they were reported to the higher officials to supply the seeds. Accordingly, the petitioner had supplied the seeds. Now after receipt of the seeds, the petitioner was denied the subsidy for the reason that the seeds are not upto



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the standards.

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7. In view of the above, the third respondent is directed to pay the subsidy to the petitioner for the supply of seeds as per the representation submitted by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition stands allowed.

No costs.

24.06.2024

Index: Yes/No

Internet : Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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To

1. The Director of Agriculture,
O/o. Directorate of Agriculture,

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2. The Joint Director of Agriculture,
Collector Office Campus,
Villupuram.

3. The Assistant Director of Agriculture,
Mailam Block, Kooteripet,
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G.K.ILANTHIRAIYAN,J.

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