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WP No. 14377 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 14377 of 2022

C.Pilla Reddy

Petitioner(s)

Vs

1. The National Horticulture Board
Rep. by its The Managing Director,
Ministry of Agriculture, Government of
India, Plot No. 85, Sector 18,
Institutional Area Gurugram 122 015
(Haryana)

2.The Branch Manager
Bank of Baroda, SSI Hosur Branch,
Hosur and Taluk, Krishnagiri District

3.Indian Horticulture and Food
Processing Consultancy, Rep. by its
Proprietor Mr. Pushpa Kumar, S.F. No.
874/2A Silk Farm Layout ,
Kelamangalam Main Road, Kurupatti
Village, Hosur and Taluk, Krishnagiri
District

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of Constitution of India to direct the Respondents, particularly the 1st Respondent to call for the Records of the Respondents particularly the 1st Respondent's impugned rejection order update dated 20.07.2019 of National Horticultural Poly House project for in Principle Approval (IPA, NHB Project Code 33ATN0006591) including waving interest for the loan sanctioned by the 2nd Respondent Bank for the property situated at Thumnapalli Village, Hosur Taluk, Krishnagiri District , Tamil Nadu Comprised in Survey No. 105/2 - 1.00 acre, Survey No. 106/1- 0.25 cents, Survey No. 111- 0.27 cents and Survey No. 112/2- 1.10 acres, in all totally to an extent of acres 2.62 cents and quash the same and consequentially direct the 1st Respondent to proceed for sanctioning of the subsidy available to petitioner by considering petitioner representation dated 13.04.2022 to sanction the subsidy

(PRAYER AMENDED AS PER ORDER DATED 20.11.2023 IN WMP.21824/2023 IN WP.14377/2022 BY ASMJ)

For Petitioner(s): Mr.S.Silambanan, Sr.Counsel for
Mr.R.Thanjan

For Respondent(s): Ms. R.Rathidevi for R1
Mr. K.S.Karthik Raja for R2
Mr.G.M.Ananthakumar for R3



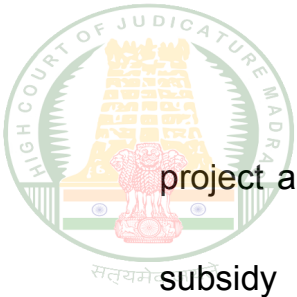
ORDER

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Heard the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents and perused the documents placed on record.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a agriculturist and decided to cultivate with modern technology of National Horticulture System in a profitable manner, hence the petitioner approached the 2nd respondent/Bank on 14.09.2018 for a sum of Rs.1,00,00,000/- out of which, a sum of Rs.25 Lakhs has to be invested by the petitioner and bank loan to the tune of Rs.75 Lakhs, further, a subsidy will be granted from the 1st respondent to the tune of Rs.50 Lakhs (i.e., 50% of the project value), however, the subsidy was rejected on the reason that the application along with necessary documents enclosed belatdly, as against the same, the petitioner has come up with the present petition.

3. The learned counsel for the petitioner would submit that once the petitioner approached the 2nd respondent bank for granting subsidy for the



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project allocated, it is the duty cast upon 2nd respondent bank to forward the subsidy application to the 1st respondent to enable the 1st respondent to sanction the subsidy in favour of the petitioner, failure on the part of the 2nd respondent to forward the application of the petitioner for subsidy cannot be put against the petitioner and the 1st respondent has to necessarily sanction the subsidy in favour of the petitioner, since the petitioner completed the project by investing huge amount of Rs.25 Lakhs accordingly, he prayed for appropriate orders.

4. Per contra, the learned counsel appearing for 2nd respondent would submit that the subsidy will be granted only on completion of the project, in the present case, the petitioner made a loan application to the 2nd respondent bank and on careful consideration, loan was sanctioned to the petitioner, however, after completion of the said project, only if the completion certificate is forwarded to the 2nd respondent, the 2nd respondent-bank will forward the subsidy application to the 1st respondent. In the present case, without project completion certificate, the 2nd respondent cannot forward application the application for sanctioning the subsidy amount and the impugned order rejecting the subsidy was solely on the ground that the application is not filed



within a period of validity period, such a decision rendered by the 1st

respondent need not be interfered and pleaded for dismissal.

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5. It is pertinent to note that the petitioner is a agriculturist and decided to cultivate with modern technology of National Horticulture System in a profitable manner, hence the petitioner approached the 2nd respondent/Bank on 14.09.2018 for a loan to the tune of Rs.1,00,00,000/- for which, there is 50% subsidy. The subsidy was rejected on the ground that the application along with necessary documents enclosed belatedly, further, when there is a specific guidelines in the scheme that it is mandatory to submit the signed copy of the online application along with other necessary enclosures within 30 days from the date of online application, which was later on extended for 60 days from the date of online application, vide National Horticulture Board Circular dated 10.01.2018, the same has not been submitted.

Accordingly, the present Writ Petition fails and the same stands dismissed. No costs.

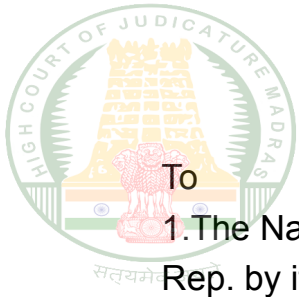
11-09-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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M.DHANDAPANI J.

ssd

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