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W.P.No.7544 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 04.03.2026**

CORAM :

**THE HONOURABLE MR. JUSTICE M. DHANDAPANI**

**W.P.No.7544 of 2024**  
**and**  
**W.M.P.No.8464 of 2024**

Aathur Vatta Arisi Urpathiallargal Sangam,  
Represented by its President  
Mr.Ramakrishnan  
533-C, Salem Main Road,  
Udayarpalayam, Athur,  
Salem District – 636 102.

... Petitioner

Vs.

1.The State of Tamil Nadu,  
Represented by its Commissioner and  
Principal Secretary to the Government,  
Agriculture and Farmers Welfare Department,  
Fort St. George,  
Chennai – 600 002.

2.The Director,  
Department of Agriculture Marketing & Agri Business,  
Cipet Road, Thiru Vi Ka Industrial Estate,  
Guindy, Chennai – 600 032.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents including those belonging to the market committee from taking any coercive action and or



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demand and levy the market fee from the members of the petitioner Association for the agriculture produce/paddy which are sourced from the areas which are outside the notified market areas of 284 regulated markets and 27 market committees in Tamil Nadu.

For Petitioner : Mr.K.Jayaraman  
for M/s.Ganesh and Ganesh

For Respondents : Mrs.V.Yamuna Devi  
Special Government Pleader

### **ORDER**

This writ petition has been filed for issuance of a Writ of Mandamus forbearing the respondents including those belonging to the Market Committee from taking any coercive action and or demanding and levying market fee from the members of the petitioner Association for the agriculture produce/paddy which are sourced from the areas which are outside the notified market areas of 284 regulated markets and 27 market committees in Tamil Nadu.

2.The petitioner states that the petitioner Association has been mainly constituted with the objects of promoting and ensuring the welfare of the



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members of the Association who are traders of paddy crop. The members of the Association are engaged in directly purchasing and sourcing the paddy from the agriculturists and transporting the same to the rice factories for further process of selling the rice. The Government, by G.O.(Ms) No.84, Agriculture and Farmers Welfare [AM2(1)] Department, dated 23.04.2022, has issued a uniform notification declaring the regulation of purchase and sale of the agriculture produce in the notified market areas of 284 regulated market areas under 27 market committees in Tamil Nadu as per Section 9(1) (d) of Tamil Nadu Agricultural Produce Marketing Regulation Act, 1987. Subsequently, many traders made a representation before the 2<sup>nd</sup> respondent for reconsideration of the said Government Order, as the uniform notification would attract market fee even for the agricultural produce which are not produced in the respective market areas also, due to which, the food processing industries and merchants would be severely affected. Based on the same, the 2<sup>nd</sup> respondent requested the 1<sup>st</sup> respondent to cancel the said Government Order and accordingly, the Government, by another Government Order in G.O.(Ms) No.1, Agriculture and Farmers Welfare [AM2(1)] Department, dated 03.01.2023, has cancelled the earlier G.O.(Ms) No.84, Agriculture and Farmers Welfare [AM2(1)] Department, dated



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23.04.2022. Therefore, according to the petitioner, the market fee is applicable only for the 40 agricultural produces in the notified market areas of 284 regulated markets coming under 27 market committees and any other agricultural produce which are sourced from other than the said 284 regulated markets coming under 27 market committees will not be liable for market fee.

3.While so, it is the grievance of the petitioner that, despite cancellation of uniform notification, the respondent authorities are levying market fee on the members of the petitioner Association for the agricultural produce which are sourced from other than the said 284 regulated markets coming under 27 market committees. Hence, the petitioner Association has come forward with this writ petition.

4.Learned counsel for the petitioner would submit that the members of the petitioner Association are forced to pay the market fee, even though they purchase the agricultural produce directly from the farmers, outside the said 284 regulated markets coming under 27 market committees. It is his contention that the respondent authorities have no power to levy market fee



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pursuant to the cancellation of G.O.(Ms) No.84, Agriculture and Farmers Welfare [AM2(1)] Department, dated 23.04.2022, if the paddy is purchased from outside the market areas. However, the authorities are insisting to pay the market fee.

5. When this Court posed a question to the learned counsel for the petitioner as to whether he has any proof for such demand made by the respondent authorities, the learned counsel submitted that they do not have any proof, but only based on the instructions from the members of the petitioner Association, the Association has filed the present writ petition.

6. This Court is of the view that, based on such oral representations/instructions, a writ petition cannot be entertained. If the respondent authorities or any officials of the Market Committee insist for payment of market fee contrary to the Government Orders, liberty is granted to the individual members of the petitioner Association, who are aggrieved, to file a writ petition before this Court, but not through their Association.



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7. With this liberty, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

**04.03.2026**

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation : Yes / No

To

1. The Commissioner and

Principal Secretary to the Government,  
Agriculture and Farmers Welfare Department,  
Fort St. George,  
Chennai – 600 002.

2. The Director,

Department of Agriculture Marketing & Agri Business,  
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**M. DHANDAPANI, J.**

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