

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Seventh day of October Two Thousand Twenty

PRESENT

WEB COPY

**The Hon`ble Mr.Justice N.KIRUBAKARAN
and
The Hon`ble Mr.Justice B.PUGALENDHI**

WP (MD) No.13762 of 2020

A. SIVAPERUMAL

... PETITIONER

Vs

1 THE COMMISSIONER,
AGRICULTURE DEPARTMENT,
CHEPAKKAM, CHENNAI - 600 005.

2 THE DISTRICT COLLECTOR,
DINDIGUL, DINDIGUL DISTRICT.

3 THE JOINT COMMISSIONER,
DISTRICT AGRICULTURE DEPARTMENT ,
VEDASANDUR TALUK, DINDIGUL DISTRICT.

4 THEIVENDRAN
ASSISTANT AGRICULTURE OFFICER,
DISTRICT AGRICULTURE DEPARTMENT,
VEDASANDUR TALUK, DINDIGUL DISTRICT.

**(*)R5 THE UNION OF INDIA,
REP BY THE SECRETARY,
DEPARTMENT OF AGRICULTURE,
CO OPERATION AND FARMERS WELFARE,
KRISHI BHAWAN, NEW DELHI 110 001.**

**R6 THE SECRETARY TO GOVERNMENT,
AGRICULTURE DEPARTMENT,
CHEPAUK, CHENNAI 600 005.**

... RESPONDENTS

**(R5 and R6 ARE SUO MOTU IMPEADED VIDE COURT ORDER
DATED 07.10.2020 IN WP(MD)No.13762/2020 BY NKKJ and BPJ)**

Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court may be pleased
to issue a Writ or Order or Direction in the nature of Writ of
Mandamus directing to the respondents 1 to 3 to take appropriate



action against the 4th respondent based on representation made by the petitioner dated on 12/08/2020.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.PUGALENDHI, Advocate for the petitioner and Mr.K.Mu.MUTHU, Additional Government Pleader for the respondents 1 to 3 and Mrs.VICTORIA GOWRI, Assistant Solicitor General of India for the 5th Respondent and Mr.M.MUTHUGEETHAIYAN, Special Government Pleader for the 6th Respondent, the Court made the following order:-

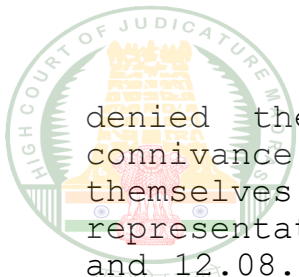
(Order of this Court was made by **N.KIRUBAKARAN, J.**)

The petitioner claims to be a resident of Thottanampatti, Nallamanarkottai Village, Dindigul District and is doing agricultural work at his native place. The grievance of the petitioner is that though the Government is providing subsidy loan for cultivating farmers, the fourth respondent got withdrawal slip from the farmers with the help of officials and took away the money and he is also not providing the benefits of the Government schemes to the eligible farmers. Despite complaints made to the higher officials, no action is forthcoming. Hence, the petitioner has come forward to file this Writ Petition.

2.The agriculturists have become orphans in this country. Nobody is bothered about the cultivation. However, they want rice and essential commodities in subsidised rates and nobody encourages the cultivation also. The agriculture is the only sector, where the producer has no say in fixing the price for their own produce. For cultivation, they have labour under the scorching sun and they have to work round the clock day and night. In spite of many schemes being implemented by the Government, the benefits are not reaching the farmers and it is being diverted and looted by the officials in connivance with some of the people in power. Though benevolent schemes have been floated by the Central and State Governments, the status of the agriculturists remains the same. No scheme is able to uplift the status of the agriculturists or empower them.

3.Even the agricultural products, which have been produced by the farmers are not purchased properly in time. Sometimes, they are getting damaged due to natural calamities and some of the unscrupulous elements are not even ready to buy it in time and it seems that they are demanding bribes even for making purchases in time. Apart from that, they are favouring only a few people. The tears of the farmers have to be wiped off. In the above background, the petitioner has approached this Court in right time, with this Writ Petition.

4.The petitioner states that ineligible persons got enrolled under the Pradhan Mantri Kisan Samman Nidhi Yojana and they have been benefitted under the said scheme and eligible persons are



denied the benefits and many of the officials have been in connivance with the third parties and they stealthily enriched themselves. In this regard, the petitioner has given representations dated 15.04.2020, 27.04.2020, 04.05.2020, 18.05.2020 and 12.08.2020. Since no action has been taken, the petitioner has come before this Court with this Writ Petition.

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5.As per the statistics of the Government of India, over 12,000 suicides were reported in the agricultural sector every year since 2013. The report states that "a total of 12,602 persons involved in farming sector - 8,007 farmers-cultivators and 4,595 agricultural labourers - committed suicide during 2015, accounting for 9.4% of total suicide victims (133,623) in the country." Maharashtra topped the list with 4,291 suicides, followed by Karnataka with 1,569, Telangana 1,400, Madhya Pradesh 1,290, Chhattisgarh 954, Andhra Pradesh 916 and Tamil Nadu 606. Together, these seven States accounted for 87.5% of total suicides in the farming sector in the country - 11,026 of 12,602. In 2014, 12,360 persons in the farming sector - 5,650 farmers-cultivators and 6,710 agricultural labourers - committed suicide, accounting for 9.4% of the total number of suicides (131,666) in the Country. In 2013, the number was 11,772, accounting for 8.7% of the 134,799 suicides in the Country. The total number of farmers / farm labourers who died by suicide in the years, 2016, 2017, 2018 and 2019 was 11,379, 10,655, 10,349 and 10,281 respectively. Even yesterday, a farmer at Dindigul committed suicide on account of financial crisis.

6.As observed earlier, the benefits are not reaching the deserving farmers and it is taken away by the middlemen as well as by some of the officials and they have become the beneficiaries, which results in the suicide of the farmers. Hence, this Court raises the following queries:

(i) How many schemes have been floated by the Central as well as State Governments for the past 10 years?

(ii) What are the names of the schemes floated for the benefit of the farmers? Whether those Central and State Governments schemes are properly advertised and brought to the notice of the beneficiaries?

(iii) What is the amount spent to each of the schemes for the past 10 years?

(iv) How many farmers have got the benefits out of such schemes? (Names of the farmers have to be given in soft copy).

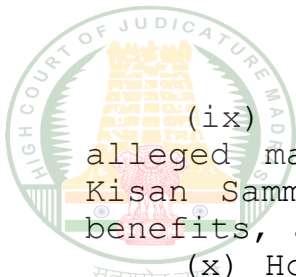
(v) How much amount is spent by way subsidies in each scheme?

(vi) Whether there is any mechanism available for the supervision by the higher officials to ensure that the benefits of the Central and State Governments are reaching the deserving farmers?

(vii) Whether any malpractice or corrupt practice has been detected while implementing the schemes?

(viii) In how many cases, the officials are involved in corrupt

<https://hscerestoredcourts.gov.in/hscservices> what is the stage of those cases?



(ix) How many cases have been registered with regard to the alleged malpractice in the implementation of the Pradhan Mantri Kisan Samman Nidhi Yojana and thereby ineligible persons got the benefits, and how many persons have been so far arrested?

(x) How many officials in the Agricultural Department have been proceeded with for the malpractice for the past 10 years? Whether those corrupt officials have been arrested?

7. Since the Central and State Governments are floating schemes for the welfare of the farmers, (i) the Union of India, represented by the Secretary, Department of Agriculture, Cooperation & Farmers Welfare, Krishi Bhawan, New Delhi - 110 001 and (ii) the Secretary to Government, Agriculture Department, Chepauk, Chennai - 600 005, are necessary parties for effective adjudication of this Writ Petition and hence, they are *suo motu* impleaded as the respondents 5 and 6. Registry is directed to carryout necessary amendments in the cause title.

8. Mr.K.Mu.Muthu, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 3 and Mrs.Victoria Gowri, learned Assistant Solicitor General of India accepts notice on behalf of the newly impleaded fifth respondent and Mr.M.Muthugeethaiyan, learned Special Government Pleader accepts notice on behalf of the newly impleaded sixth respondent.

9. Notice to the fourth respondent returnable by **28.10.2020**. Private notice including Courier, Speed Post, WhatsApp and E-mail is also permitted.

Post the matter on **28.10.2020**.

sd/-
07/10/2020

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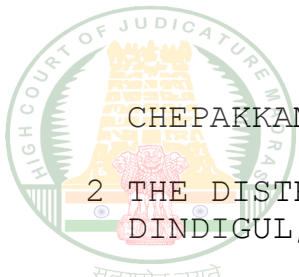
/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE COMMISSIONER,
AGRICULTURE DEPARTMENT,

<https://hcservices.ecourts.gov.in/hcservices/>



CHEPAKKAM, CHENNAI - 600 005.

2 THE DISTRICT COLLECTOR,
DINDIGUL, DINDIGUL DISTRICT.

3 THE JOINT COMMISSIONER,
DISTRICT AGRICULTURE DEPARTMENT ,
VEDASANDUR TALUK, DINDIGUL DISTRICT.

4 THE SECRETARY,
UNION OF INDIA,
DEPARTMENT OF AGRICULTURE,
CO OPERATION AND FARMERS WELFARE,
KRISHI BHAWAN, NEW DELHI 110 001.

5 THE SECRETARY TO GOVERNMENT,
AGRICULTURE DEPARTMENT,
CHEPAUK, CHENNAI 600 005.

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-6879[I] dated
09/10/2020)

ORDER
IN
WP(MD) No.13762 of 2020
Date :07/10/2020

sj
AE/SMA/SAR-IV (20.10.2020) 5P 7C