

IN THE HIGH COURT OF JUDICATURE AT MADRAS

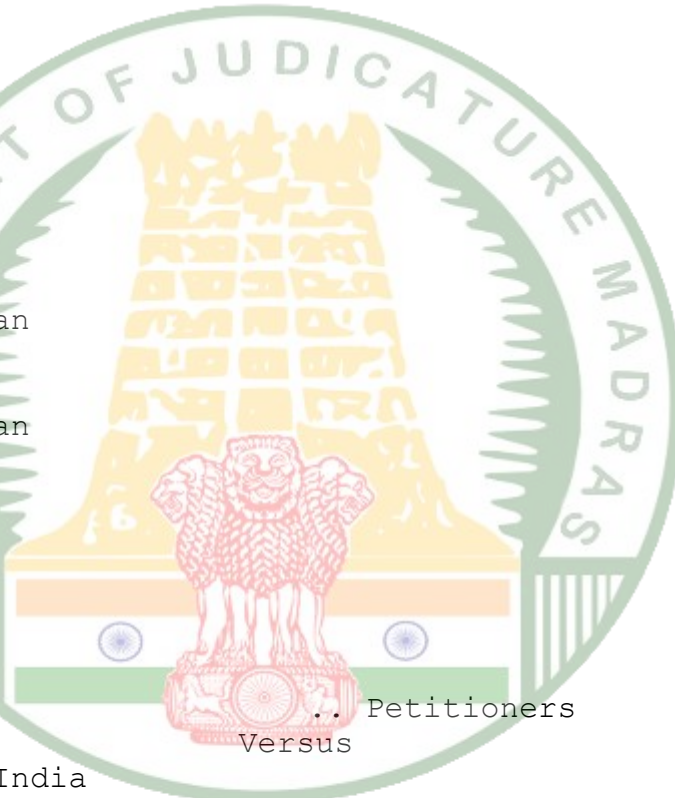
DATE: 24.04.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12170 of 2015

1. N.Ponnusamy
- 2 P.Kandasamy
- 3 S.Natarajan
- 4 K.V.Rangasamy
- 5 R.Shanmugam
- 6 N.Rajamani
- 7 K.Ramasamy
- 8 A.Siddharthan
- 9 K.Marappan
- 10 M.Radhakrishnan
- 11 S.Palanisamy
- 12 Arul Kumar
- 13 K.R.Palaniappan
- 14 K.A.Natesan
- 15 N.Ramesh
- 16 Magudeeswaran
- 17 S.Ganesan
- 18 V.Rajagopal
- 19 M.Palanivelu
- 20 P.Murugesan
- 21 M.Palanivel



... Petitioners
Versus

- 1 The Union of India
Rep. by its Secretary Department of
Agriculture Krishi Bhavan Dr.Rajendra
Prasad Road Central Secretariat New Delhi-
110 001.
- 2 The Government of Tamil Nadu
Rep. by its Principal Secretary Agriculture
Department Secretariat Chennai-9.
- 3 The Regional Director
Agriculture Insurance Company of India Ltd
Old No.156 New No.323 Andhra Insurance
Building Thambu Chetty Street Chennai-600
001.
- 4 The Regional Director
United India Insurance Company Ltd No.24
Whites road Royapettah Chennai-14.

5 The District Collector
Namakkal District Namakkal. .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing respondents to consider the grievance of the petitioners in the representation dated 8.12.2014 by implementing the Modified National Agricultural Insurance Scheme (MNAIS) against the insured amount by the petitioners herein in respect of payment of claimed sum which inclusive of subsidy of Government by the 4th respondent for the plantation of ground nuts in their respective lands.

For Petitioner : Mr.S.Hemalatha

For Respondents : Mr.Su.Srinivasan, (for R1)
Assistant Solicitor General

Mr.Durai Solaimalai (for R2 & R5)
Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioners claim that they are agriculturists owning lands in Karumapuram Village, Thiruchegode Taluk, Namakkal District and that they are cultivating ground nuts and all of them are small farmers eking out their livelihood, solely on the basis of the above said agricultural operations.

3. The petitioners would state that the Government of India, the 1st respondent has introduced a National Agricultural Insurance Scheme in the year 2000 and during the year 2013, it was remodeled as National Crop Insurance Programme with modified National Agricultural Insurance Scheme and the 2nd respondent has also implemented the same vide G.O.Ms.No.256, Agricultural (Ap6) Department dated 30.12.2013 in and by which, the Government helps the farmers by extending the subsidy on the premium payable, besides crop loss compensation shareable by Government of India over and above the premium collected.

4. The grievance expressed by the petitioners is that they have planted ground nut seeds between May and July 2012 and on account of the dry spell at the beginning of the crop season, about 80% of the area could not be sown for ground nut crop, which the

petitioners have insured with the 4th respondent by paying the premium. The petitioners would further state that they are also prevented from sowing/planting ground nut crops due to deficit rainfall or adverse seasonal conditions and though, the respondents are duty bound to implement the scheme in Karmapuram Village by extending the subsidy, the respondents have failed and neglected to implement the same. Therefore, the petitioners submitted a representation dated 08.12.2014, to the District Collector, Namakkal District, on the Grievance Day and since, they have not been favoured with any response, came forward to file this writ petition.

5. Heard Mrs.S.Hemalatha, learned counsel appearing for the petitioners, Mr.Su. Srinivasan, learned Assistant Solicitor General, who accepts notice for the 1st respondent and Mr.Durai Solaimalai, learned Additional Government Pleader, who accepts notice for the 2 respondents 2 and 5.

6. This Court taking into consideration the plight of the petitioners who are agriculturists, permits them to submit a representation to the 4th respondent within a period of two weeks from the date of receipt of a copy of this order and the 4th respondent on receipt of the same is directed to consider the same on merits and in accordance with law and pass orders as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and communicate the decision to the petitioners.

7. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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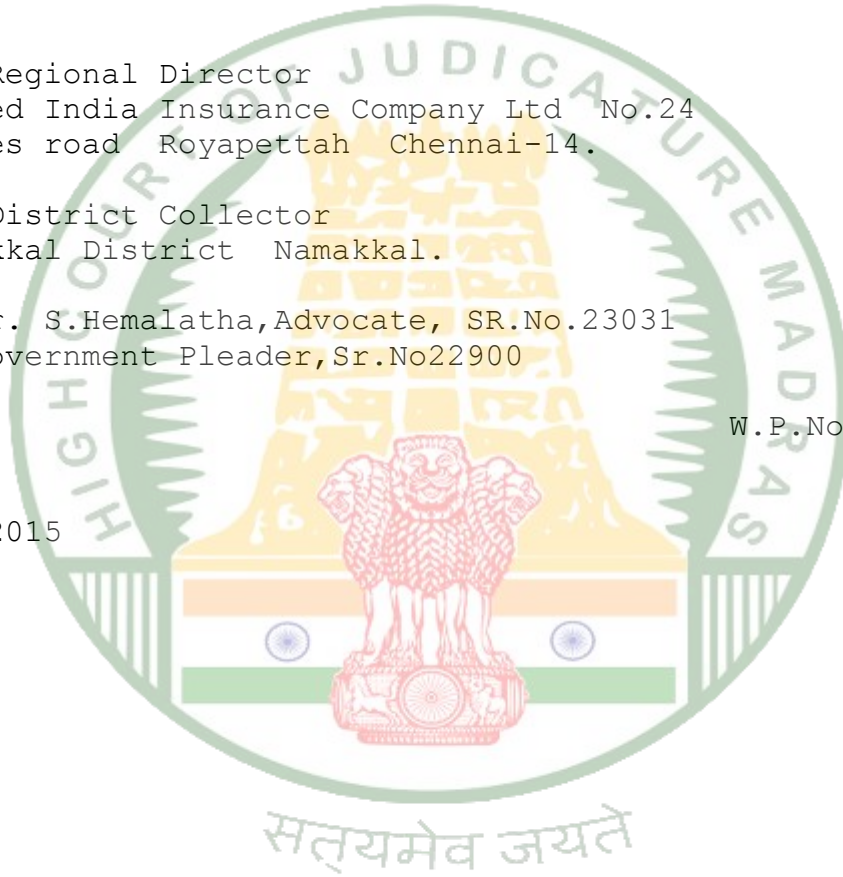
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 - 4 The Regional Director
United India Insurance Company Ltd No.24
Whites road Royapettah Chennai-14.
 - 5 The District Collector
Namakkal District Namakkal.
- 1 cc to Mr. S.Hemalatha, Advocate, SR.No.23031
1 cc to Government Pleader, Sr.No22900

W.P.No.12170 of 2015

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pmk.12.5.2015



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