



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

W.P. (MD) No.13528 of 2017

P.Parthiban

... Petitioner

Vs.

1.The Special Commissioner/Revenue Administrative Officer,
Natural Calamity Management cum Audit Department,
Chennai.

2.The District Collector,
Collectorate,
Madurai.

3.The Administrative Officer,
The District Agriculture Engineering Department,
Madurai District, Madurai.

4.The Tasildhar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pass an order to grant the Disaster Relief Fund as compensation fixed by the second respondent within the stipulated time as prescribed by this Court.

For Petitioner : Mr.K.K.Samy

For Respondents : Mr.G.Muthu Kannan,
Government Advocate.

ORDER

This Writ Petition is filed for a direction to the respondents to pass an order to grant the disaster relief fund as compensation fixed by the second respondent within a stipulated time.

2.According to the petitioner, he is an agriculturalist having lands in Muthupandipatti Village in Usilampatti Taluk, Madurai District and in the year 2010, due to heavy rain, his well crumbled down and thereby he sustained loss. This was intimated to the authorities immediately.

3.The petitioner would claim that the second respondent has caused damage at Rs.89,000/- (Rupees Eighty nine thousand only) and also recommended for payment. Since there was an inordinate delay, the petitioner sent a representations to the



authorities, dated 18.09.2015, 16.12.2015 and 09.03.2016. Despite the same, the amount was not paid. Hence the present Writ Petition is filed by the petitioner.

4. The learned Government Advocate appearing for the respondents would submit that the petitioner is eligible to get compensate due to the loss suffered in the year 2010, however, the amount could not be disbursed, as sanction was not made by the first respondent.

5. Heard Mr.K.K.Samy, the learned counsel appearing for the petitioner and Mr.G.Muthu Kannan, the learned Government Advocate appearing for the respondents.

6. Considering the facts, the petitioner is permitted to make a fresh representation to the respondents 1 and 2 enclosing copy of this order along with the relevant documents within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the respondents 1 and 2 are directed to pass orders as expeditiously as possible preferably within a period of six weeks therefrom.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Special Commissioner/Revenue Administrative Officer,
Natural Calamity Management cum Audit Department,
Chennai.

2. The District Collector,
Collectorate,
Madurai.

3. The Administrative Officer,
The District Agriculture Engineering Department,
Madurai District, Madurai.

4. The Tasildhar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

+1cc to The Special Government Pleader in SR. NO.69364

+1cc to Mr.K.K.Samy Advocate in SR. NO.69213

dss/ps

JS/SKN.RSK/SAR.3/16.08.2017/2P-7C

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