



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM :

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

WP(MD)Nos.10646 & 10647 of 2011
and
MP(MD)Nos.1 and 1 of 2011

1.A.Iyunthukayam ... Petitioner in
W.P(MD).No.10646 of 2011

2.S.John Peter ... Petitioner in
W.P(MD).No.10647 of 2011

Vs.

1.The District Collector,
Collector Office,
Ramanathapuram.

2.The Secretary,
Q510, Savariarpattanam Primary-Agricultural
Co-Operative Bank,
Savariarpattanam-623 703,
Kadaladi Taluk, Ramnad District.

3.The Special Officer,
Q510, Savariarpattanam Primary-Agricultural
Co-Operative Bank,
Savariarpattanam-623 703,
Kadaladi Taluk, Ramnad District.

...Respondents
in both the petitions.

Prayer in W.P(MD).No.10646 of 2011: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to pay Crop Insurance relief amount for the lands in Survey No.221/2B, 384/4, 228/5 and 169/2A in Maranthai Village, Ramanathapuram District for the period of 2009-2010.

Prayer in W.P(MD).No.10647 of 2011: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to pay Crop Insurance relief amount for the lands in Survey No.123/3B1, 187/1A, 25/1B, 3/4B, 383/2A, 48/2B and 3/4A in Maranthai Village, Ramanathapuram District for the period of 2009-2010.



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For Petitioner : Mr.S.Manohar
in both the petitions

For R1 : Mr.G.Muthukannan,
Government Advocate.
in both the petitions

For R2 & R3 : Mr.M.Saravana Kumar
in both the petitions

COMMON ORDER

These Writ Petitions are filed for issuance of a Writ of Mandamus directing the respondents to pay Crop Insurance relief amount for their lands situated in Maranthai Village, Ramanathapuram District for the period of 2009-2010.

2.Heard Mr.S.Manohar, learned counsel appearing for the petitioners, Mr.G.Muthukannan, learned Government Advocate appearing for the first respondent and Mr.M.Saravana Kumar, learned counsel appearing for the second and third respondents.

3.The case of the petitioners is that they own the land in Survey No.221/2B, 384/4, 228/5 and 169/2A and Survey No.123/3B1, 187/1A, 25/1B, 3/4B, 383/2A, 48/2B and 3/4A respectively, in Maranthai Village, Ramanathapuram District. They paid Rs.371/- and Rs.314/- respectively towards crop insurance on 14.12.2009. Due to the crop failure, they approached the second and third respondents, seeking insurance amount for crop failure. But, they have given evasive reply. Hence, the petitioners gave the petitions under Right to Information Act to the third respondent, requesting the list of persons recommended for payment of insurance amount. Since no action was taken, hence the present Writ petitions.

4.The learned counsel for the second respondent by referring the counter filed by the second respondent, submitted that for the year 2009-2010 complaints were received for the false claims. So, on instruction of Ramanathapuram District Collector, a committee comprising of Revenue, Agricultural, Co-operative Department staffs have verified the documents and submitted a report. The committee found that the petitioners have not cultivated paddy. So, their claim were rejected.

5.The learned counsel further submitted that I.Kulanthaiyammal, wife of the first petitioner herein has cultivated paddy crops and for the loss sustained by the petitioner's wife, the second respondent has paid the compensation.



6.Considering the above facts, this Court is of the view that the petitioners are not entitled to the reliefs sought for in these writ petitions. Hence these Writ petitions are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,
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Ramanathapuram.

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Savariarpattanam-623 703,
Kadaladi Taluk, Ramnad District.

+1CC to Mr.M.Saravanakumar, Advocate, SR.No.78672

+2CC to Mr.S.Manohar, Advocate, SR.No. 78897, 78896

+1CC to the Special Government Pleader SR.No. 78775

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dss/msa

AM/MR KKR/SAR 1/26.09.2017/3P/8C