



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2017

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.5290 of 2011

and

MP (MD) No.1 of 2011

K.Jayaraman

: Petitioner

-vs-

1.The Village Administrative Officer ,
74-Thazhanur,
Avudaiyarkovil Taluk,
Pudukkottai District.

2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

3.The Special Officer,
Kolendram Primary Agricultural Co-operative Bank,
Kolendram,
Pudukkottai District.

4.Jayaraman

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein to disburse the "Flood Relief Fund" to the petitioner herein for his land in S.No.24/3 in Kannakkoor Village, 74-Thazhanur Vattam, Avudaiyar Kovil Taluk, Pudukkottai District, based on the representation submitted in person dated 13.02.2011.

For Petitioner

: Mr.G.Thalaimutharasu

For R1 and R2

: Mr.C.Selvaraj

Special Government Pleader

For 3rd Respondent

: Mr.K.Baalasundaram

For 4th Respondent

: Mr.N.Balakrishnan

**ORDER**

The prayer sought for in this writ petition is to direct the respondents 2 and 3 to disburse the Flood Relief Fund to the petitioner for his land in Survey No.24/3 at Kannakkoor Village, 74-Thazhanur Vattam, Avudaiyar Kovil Taluk, Pudukkottai District, based on his representation, dated 13.02.2011.

2.The case of the petitioner is that he owns land to an extent of 2.40 Acres in Survey No.24/3 at Kannakkoor Village and he raised paddy crops in his land, but due to heavy rain, the crops raised by the petitioner were submerged in the water.

3.The petitioner would claim that he is entitled for flood relief funds, but instead of paying to the petitioner, the amount was disbursed to the 4th respondent. Hence, he submitted representations, dated 13.02.2011, 17.03.2011 to the official respondents. Since, no action has been taken so far, the present writ petition is filed.

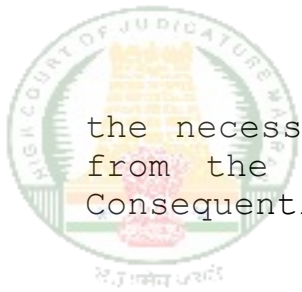
4.Heard Mr.G.Thalaimutharasu, learned counsel for the petitioner, Mr.C.Selvaraj, learned Special Government Pleader for the respondents 1 and 2, Mr.K.Baalasundaram, learned counsel for the 3rd respondent and Mr.N.Balakrishnan, learned counsel for the 4th respondent and perused the materials available on record.

5.Mr.K.Baalasundaram, learned counsel for the 3rd respondent would submit that based on the list furnished by the 2nd respondent, the 3rd respondent disbursed the amount to the 4th respondent and the 3rd respondent is only disbursing authority and he is nothing to do with the allegations made in the writ petition.

6.Mr.N.Balakrishnan, learned counsel for the 4th respondent would submit that though the name of the petitioner and the 4th respondent are similar, but the 4th respondent owns vast extent of land and the crops raised by the 4th respondent was also damaged in the year 2010 due to heavy rain and therefore, he has no role in the allegations made in the writ petition.

7.Mr.C.Selvaraj, learned Special Government Pleader for the respondents 1 and 2 would submit that the representation of the petitioner, dated 17.03.2011 will be considered by the 2nd respondent.

8.In view of the above submissions made on either side, the writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner, dated 17.03.2011 on merits and in accordance with law, after providing opportunity of hearing to the petitioner as well as to



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the necessary parties, if any, within a period of 12 weeks weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Village Administrative Officer ,
74-Thazhanur,
Avudaiyarkovil Taluk,
Pudukkottai District.

2.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 71368
+ 1 CC TO MR.G.THALAIMUTHARASU, ADVOCATE IN SR No. 71125
+ 1 CC TO MR.K.BAALASUNDHARAM , ADVOCATE IN SR No. 71027

er

MK/KKR/SAR-4/04.09.2017/3P/6C

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