

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.4633 of 2018

M.Selvi
W/o.Mariappan

.. Petitioner

Vs.

1. The District Collector
Chairman, The District Level Co-ordination Committee
(Crop Insurance) / P.A. (Agri)
Cuddalore District,
Cuddalore.
2. The District Level Co-ordination Committee
(Crop Insurance)
District Collectorate
Cuddalore District, Cuddalore.
3. The Deputy Director of Agriculture
(Government of India Schemes /
State Government Schemes)
Cuddalore District, Cuddalore.
4. The Assistant Director of Agriculture
Kumaratchi Block,
Kumaratchi, Cuddalore District.
5. ICICI Lombard Insurance Limited
Chotabhai Centre
140 2nd and 3rd Floor
Nungambakkam High Road,
Chennai-600 034.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to pass orders to disburse the differential payments due on account of Crop Insurance Policy of the petitioner, enrolled for the period of "Kharib 2017 - Aug 2016 - January 2017" under "Prathan Manthri Bima Faisal Yojana" - (PMBFY) Scheme by duly passing orders directing the 7th respondent to account the premium amount as Rs.5,935/- as paid by the petitioner and to pay the accrued differential sum of Rs.1,40,000/- within a time frame limit.

For Petitioner : Mr.P.G.Thiyagu
For Respondents : Ms.S.Ramya Revathy
Government Advocate for R1 to R4

O R D E R

Ms.S.Ramya Revathy, learned Government Advocate takes notice for the respondents 1 to 4. Since this writ petition is being disposed of, without affecting the interest of the fifth respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for the following relief:

To directing the 1st respondent to pass orders to disburse the differential payments due on account of Crop Insurance Policy of the petitioner, enrolled for the period of "Kharib 2017 - Aug 2016 - January 2017" under "Prathan Manthri Bima Faisal Yojana" - (PMBFY) Scheme, by duly passing orders directing the 7th respondent to account the premium amount as Rs.5,935/- as paid by the petitioner and to pay the accrued differential sum of Rs.1,40,000/- within a time frame limit.

3. The claim of the petitioner is that by wrongly treating the insurance premium paid as Rs.945/- instead of Rs.5,945/-, the insurance claim was settled to the petitioner lessor than the amount which she is otherwise entitled to. In other words, the case of the petitioner is that if the premium paid is taken as Rs.5,945/-, the differential sum of Rs.1,40,000/- is liable to be paid over and above the sum paid to the petitioner towards such insurance crops.

4. Ventilating such grievance, the petitioner also made several representations, out of which, last of one was made on 10.01.2018. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the same. Thus, this writ petition is disposed of, only by directing the first respondent to consider the representation of the petitioner dated 10.01.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner as well as the fifth respondent and the other interested parties, if any. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Chairman, The District Level Co-ordination Committee
(Crop Insurance) / P.A. (Agri)
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+1cc to Mr.P.G.Thiyagu, Advocate, S.R.No.15653

W.P.No.4633 of 2018

CS/05/03/18

सत्यमेव जयते

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