

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 07.06.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S.RAMESH****W.P. (MD) No.2406 of 2018**

- 1.S.Saravanan
- 2.V.Bhuvaneshwari
- 3.V.Divya
- 4.S.Sudha
- 5.M.Kalyanasundaram
- 6.S.Kumar
- 7.S.Manavalan
- 8.M.Yalini
- 9.M.Pugalini
- 10.M.Dhanalakshmi

... Petitioners

vs.

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Deputy General Manager
Chennai Regional Office
New India Assurance Co. Ltd.,
Spencer Towers, 3rd Floor,
770-A, Anna Salai, Chennai - 600 002.
3. The Joint Director for Agriculture
Kattu Thottam,
Mariamman Kovil Road, Thanjavur.
4. The Secretary,
Vekatasamuthiram 1st Chethi
(Kandamangalam) Primary Agricultural Co-operative Credit
Society Ltd.,
Thiruvaiyaru Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant the compensation for the failure of the petitioner's crops in Venkatasamuthiram 1st Chethi (Kandamangalam) Village, Bhudalur Taluka of Thanjavur District, by way of crops insurance for the cultivating year 2016-2017 i.e., Varagur Crops, by considering petitioners' representation dated 23.01.2018 within the period as stipulated by this Court.



For Petitioners : Mr.A.Haja Mohideen

For Respondents : Mr.N.Shanmuga Selvam for R1
Additional Government Pleader
Mr.J.S.Murali for R2.

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O R D E R

Mr.N.Shanmuga Selvam, learned Additional Government pleader, takes notice for the first respondent and Mr.J.S.Murali, learned counsel takes notice of the second respondent.

2. It is the grievance of the petitioner that his representation dated 23.01.2018 seeking to grant the compensation for the failure of the petitioner's crops in Venkatasamuthiram 1st Chethi (Kandamangalam) Village, Bhudalur Taluka of Thanjavur District, by way of crops insurance for the cultivating year 2016-2017 i.e., Varagur Crops, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 23.01.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/



To:

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Joint Director for Agriculture
Kattu Thottam,
Mariamman Kovil Road, Thanjavur.

+ 1 cc TO Mr.A.Haja Mohideen , Advocate in SR No. 67344
+ 1 cc TO Mr.J.S.Murali , Advocate in SR No. 67408

TM

AE/SV MMS/SAR1/27.06.2018/3P/5C

W.P. (MD) No.2406 of 2018
07.06.2018