



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. (MD) No.3513 of 2018 and
W.M.P. (MD) No.3643 of 2018

V.Pazhampathinathan

... Petitioner

-Vs-

1. The Agricultural Production Commissioner
and Principal Secretary to Government,
Government of Tamil Nadu,
St.George Fort, Chennai-600 009.

2. The District Collector,
Sivagangai District.

3. The Manager,
ICICI Lombard CIC Limited,
3rd Floor, Chotapai Centre,
140, Nungambakkam High Road,
Chennai-600 034.

4. The Managing Director,
District Central Co-operative Bank,
Sivagangai.

5. The Secretary,
Nattuseri Kalathur Primary Agricultural
Co-operative Thrift Society Limited,
Ammanpatti, Karaikudi Taluk,
Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pay the crop insurance claim of Rs.1,38,567/- in respect of the petitioner's lands in Jayankondan Village, Karaikudi Taluk insured under the Pradhan Mantri Fasal Bima Yagna (PMFBY) Scheme for RABI Season 2016-17 within the time prescribed by this Court.

For Petitioner : Mr.K.Sakthivel
For R1 and R2 : Mr.M.Rajarajan,
Government Advocate.

For R3 : Mr.K.K.Ramakrishnan

For R4 : Mr.N.Shanmugarajasethupathi

**ORDER**

According to the petitioner, he is the agriculturist and for the agricultural purpose he has availed loan from the 5th respondent and the crops have been insured under the Pradhan Mantri Fasal Bima Yogna (PMFBY) Scheme and paid the premium through the 5th respondent. Now, due to the failure of monsoon, the petitioner's crops have been affected. The agricultural authorities had already certified that about 95% of the crops had been affected in the petitioner's village. Thereafter, a communication has also been sent to the third respondent, the Insurance Company, and based on the same, the third respondent has also paid the compensation for some agriculturists. But, so far as the petitioner is concerned, no insurance amount has been disbursed. In the above circumstances, the petitioner approached the fourth respondent and the fourth respondent by proceedings dated 29.08.2017 requested the third respondent to disburse the insurance amount to the remaining agriculturists in respect of 12 villages in Sivagangai District. But, so far, no order has been passed by the third respondent, hence, the present writ petition has been filed.

2.I have heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first and second respondents, the learned counsel appearing for the 3rd respondent and also the learned counsel appearing for the 4th respondent and perused the materials available on record carefully.

3.Considering the fact that already the fourth respondent has sent a communication to the third respondent to disburse the crop loans to other agriculturists, the petitioner is directed to send a representation along with the communication sent by the fourth respondent dated 29.08.2017 to the third respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the third respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of four weeks thereafter.

4.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar



To

1. The Agricultural Production Commissioner
and Principal Secretary to Government,
Government of Tamil Nadu,
St.George Fort, Chennai-600 009.

2. The District Collector,
Sivagangai District.

+ 1 CC TO Mr.K.SAKTHIVEL, ADVOCATE IN SR No. 50164
+ 1 CC TO Mr.K.K.RAMAKRISHNAN, ADVOCATE IN SR No. 50473
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50779

MYR

TE/JC/SAR-1 : 21/03/2018 : 3P/6C

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21.02.2018
(18/21)