



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD)No.3723 of 2018

K.Jeyaraj

... Petitioner

-Vs-

1. The Joint Registrar,
Office of the Co-operative Societies Joint Registrar,
District Collectorate,
Sivagangai.
2. The Deputy Registrar,
Office of Co-operative Societies Deputy Registrar's Office,
Supramaniyapuram, Karaikudi,
Sivagangai District.
3. The President,
N.N.575, Kilamalai Primary Agriculture,
Co-operative Credit Society,
No.7, Kali Alagappan Street,
Devakottai,
Sivagangai District.
4. The Secretary,
N.N.575, Kilamalai Primary Agriculture,
Co-operative Credit Society,
No.7, Kali Alagappan Street,
Devakottai,
Sivagangai District.
5. The Manager,
ICICI Lombard GIC Limited,
Third Floor, Chotabai Centre,
140, Nungambakkam High Road,
Chennai-600 034.

... 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 4 and 5 to pay the compensation to the petitioner based on his two crop insurances, within the stipulated period.



For Petitioner : Mr.K.Rajeshwaran
For R1 and R2 : Mrs.J.Padmavathi Devi,
Special Government Pleader.
For R3 and R4 : Mr.Gunaseelanmuthiah
For R5 : Mr.K.K.Ramakrishnan

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 concerned authorities had already certified that about 95% of the crops had been affected in the petitioner's village. Thereafter, a communication has also 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 Special Government Pleader appearing for the first and second respondents, the learned counsel appearing for the 3rd and 4th respondent and also the learned counsel appearing for the 5th 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.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

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To

1. The Joint Registrar,
Office of the Co-operative Societies Joint Registrar,
District Collectorate,
Sivagangai.
2. The Deputy Registrar,
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Supramaniyapuram, Karaikudi,
Sivagangai District.
3. The President,
N.N.575, Kilamalai Primary Agriculture,
Co-operative Credit Society,
No.7, Kali Alagappan Street,
Devakottai,
Sivagangai District.
4. The Secretary,
N.N.575, Kilamalai Primary Agriculture,
Co-operative Credit Society,
No.7, Kali Alagappan Street,
Devakottai,
Sivagangai District.

+ 1 cc TO Mr.K.K.Ramakrishnan , Advocate in SR No. 50477
+ 1 cc TO Mr.K.Rajeshwaran , Advocate in SR No. 50697
+ 1 cc TO The Special Government Pleader in SR No. 50970

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AE/KKR/SAR2/20.03.2018/3P/8C

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