



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 20.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

W.P.(MD)No.4602 of 2018

1.M.Anbunathan  
2.M.Arockiasamy  
3.I.Susaimary  
4.M.Sebastian  
5.S.Amalraj  
6.S.Nagasamy

... Petitioners

-Vs-

1.The State of Tamil Nadu,  
Represented by its Secretary,  
Agricultural Department,  
Fort St.George, Chennai-600 009.

2.The District Collector,  
Sivagangai District.

3.The Assistant Director of Agriculture,  
Ulavar Maiyam,  
Sivagangai District.

4.The Regional Manager,  
Agriculture Insurance Company of India Limited,  
1<sup>st</sup> Floor, Andhra Insurance Building,  
No.323, Thambu Chetty Street,  
Paris Corner, Chennai.

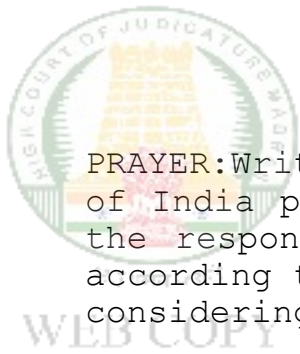
5.The Manager,  
ICICI Lombard,  
G.V.Complex, 3<sup>rd</sup> Floor,  
No.11/1-B, Bye-Pass Road,  
Madurai-625 010.

6.The Branch Manager,  
Indian Banck,  
Salaigramam,  
Sivagangai District.

7.The Chief Regional Manager,  
United India Insurance Company Limited,  
Regional Office,  
No.7-A, West Veli Street,  
Madurai-625 001.

... Respondents

<https://hcservices.ecourts.gov.in/hcservices/>  
(R) is impleaded vide Court order dated 20.03.2018 in W.M.P.(MD)  
No.5033 of 2018)



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 release the insurance amount to the petitioner according to the insurance premium amount paid by the petitioners by considering the petitioners' representation dated 29.12.2017.

For Petitioner : Mr.V.Panner Selvan  
For R1 to R4 : Mrs.J.Padmavathi Devi,  
Special Government Pleader.  
For R5 : Mr.V.Muthukamatchi  
For R6 : Mr.Pala Ramasamy  
For R7 : Mr.G.Prabhu Rajadurai

#### ORDER

According to the petitioners, they are all agriculturists, and they also insured their crops with the 5<sup>th</sup> and 7<sup>th</sup> respondents Insurance Company through co-operative society, and also nationalised bank in the month of November, 2016. Due to drought, the entire crops have been damaged. Hence, the District Collector has sent a recommendation to the Insurance Companies to pay compensation. Despite the same, no compensation has been paid. The petitioners also filed representation to the authorities. But, no order has been passed, hence, the present writ petition has been filed.

2.The learned Special Government Pleader for the respondents 1 to 4 submitted that earlier a joint meeting was conducted by the District Collector, wherein it was found that there are some mistakes in the report submitted by the authorities regarding the payment of premium. Even though the agriculturists paid premium in the month of November, 2016, it has been wrongly mentioned as December, 2016. In such circumstances, the Insurance Company refused to give compensation to the petitioners. Subsequently, it was also clarified in the above said meeting, and all the agriculturists were directed to submit a representation along with the receipt for payment of premium to the Insurance Company, and on submitting such payment receipt, the Insurance Company was directed to consider the same.

3.The learned counsel for the petitioner submitted that already the petitioners sent representation along with the receipt for payment of premium. But, so far no order has been passed.

4.In the above circumstances, considering the facts and circumstances of the case, without going into the merits of the case, as already the petitioners said to have been filed representation along with the receipt for payment of premium in the month of November, 2016, the Insurance Company is directed to consider the representation of the petitioners, and pass suitable orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



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

Sd/  
Assistant Registrar (RTI)

/True copy/

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Sub Assistant Registrar

To

1. The Secretary,  
State of Tamil Nadu,  
Agricultural Department,  
Fort St. George, Chennai-600 009.
  2. The District Collector,  
Sivagangai District.
  3. The Assistant Director of Agriculture,  
Ulavar Maiyam,  
Sivagangai District.
  4. The Regional Manager,  
Agriculture Insurance Company of India Limited,  
1<sup>st</sup> Floor, Andhra Insurance Building,  
No.323, Thambu Chetty Street,  
Paris Corner, Chennai.
- +1cc to M/s. Special Government Pleader, SR.No. 56699  
+1cc to Mr.K.K.RAMAKRISHNAN, Advocate, SR.No. 56894  
+1cc to Mr.PALA RAMASAMY, Advocate, SR.No. 57164  
+1cc to Mr.V.PANNEER SELVAM, Advocate, SR.No. 56711

W.P (MD) No.4602 of 2018  
20.03.2018

MYR  
KK/SKN RSK/26.03.2018/SAR-1/3P-9C