



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

W.P. (MD) Nos. 6331 to 6334 of 2018

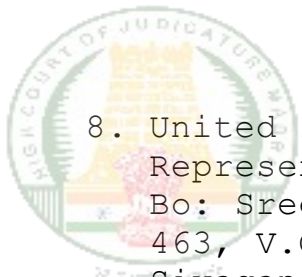
and

W.M.P. (MD) Nos. 6183 to 6186 of 2018

R.Kaliammal	... Petitioner in WP(MD) No. 6331/2018
K.R.Sangeeth Gunalan	... Petitioner in WP(MD) No. 6332/2018
K.Jayam	... Petitioner in WP(MD) No. 6333/2018
R.Vijayalakshmi	... Petitioner in WP(MD) No. 6334/2018

-Vs-

1. The District Collector,
Sivagangai District.
2. The Registrar of Co-operative Societies,
Chennai.
3. The Joint Director of Agriculture,
Agriculture Department,
O/o. The Joint Director of Agriculture,
Sivagangai District.
4. The Joint Registrar of Co-operative Societies,
O/o. The Joint Registrar of Co-operative Societies,
Sivagangai District.
5. The Managing Director,
Sivagangai District Central
Co-operative Bank Limited,
Sivagangai District.
6. N.N-569, Nattucheri Kalathur Primary Agriculture
Co-operative Credit Society,
through its Secretary,
Mithravayal Post, Sakkottai,
Karaikudi Taluk, Sivagangai District.
7. ICICI Lombard General Insurance Company Limited,
3rd Floor, Sottabei Centre,
140, Nungambakkam Road,



8. United Insurance Company Limited,
Represented by its Branch Manager,
Bo: Sree Visalam Chit Fund Bldg.
463, V.O.C.Street, Karaikudi Town,
Sivagangai District.

... Respondents in all Wps.

Except WP(MD) 6333 & 6334 of 2018
/6th Respondent

N.N-564, Mithravayal Primary Agriculture
Co-operative Credit Society,
through its Secretary,
Mithravayal Post, Sakkottai,
Karaikudi Taluk, Sivagangai District.

... 6th Respondent in

WP(MD) No.6333 & 6334 of 2018

COMMON PRAYER:Writ Petitions 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.4,41,784/-, Rs.3,20,606/-, Rs.1,68,454/- and Rs.2,76,590/-, respectively in respect of the petitioners' lands in Nattucheri village, Karaikudi Taluk, Sivagangai District; Kalathur Village, Karaikudi Taluk, Sivagangai District and Nattucheri village, Karaikudi Taluk, Sivagangai District, respectively insured under the Pradhan mandri Fassal Bema Yojana (PMFBY) scheme for RABI season 2016-2017 within the time.

For Petitioners	: Mr.S.Veluchamy
For R1 to R4 and R6	: Mrs.J.Padmavathi Devi Special Government Pleader
For R5	: Mr.D.Shanmugaraja Sethupathi
For R7	: Mr.K.Muthukamatchi
For R8	: Mr.G.Prabhu Rajadurai

COMMON ORDER

According to the petitioners, they are agriculturists and they have insured their crops with the respondents 5 and 7 through the Co-operative Society/sixth respondent herein 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 have also made representations 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 and 6 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 petitioners submitted that already the petitioners have sent representations 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 the petitioners have already filed representations along with the receipt for payment of premium in the month of November, 2016, the Insurance Company is directed to consider the representations 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, these writ petitions are disposed of. No costs. Consequently, W.M.P.(MD)Nos.6183 to 6186 of 2018 are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District.
2. The Registrar of Co-operative Societies,
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3. The Joint Director of Agriculture,
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O/o.The Joint Director of Agriculture,
Sivagangai District.
4. The Joint Registrar of Co-operative Societies,
O/o.The Joint Registrar of Co-operative Societies,
Sivagangai District.



5. The Managing Director,
Sivagangai District Central
Co-operative Bank Limited,
Sivagangai District.
6. N.N-569, Nattucheri Kalathur Primary Agriculture
Co-operative Credit Society,
through its Secretary,
Mithravayal Post, Sakkottai,
Karaikudi Taluk, Sivagangai District.
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Sivagangai District.

+4cc to Mr.S.Veluchamy, Advocate Sr.No.57416 to 57419
+4cc to Mr.K.K.Ramakrishnan, Advocate Sr.No.57841 to 57844
+1cc to the Spl. Government, Pleader Sr.No.57994
+1cc to Mr.D.Shanmugaraja Sethupathi, Advocate SR.No.57743

mj

VB/SKN/RSK/SAR1/24.04.2018/4P/20C

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