



WEB COPY

CONT.P.(MD)No.1555 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CONT.P.(MD)No.1555 of 2018

in

W.P.(MD)No.4746 of 2018

and

SUB.A.(MD)No.153 of 2019

in

CONT.P.(MD)No.1555 of 2018

- 1.K.Annadhurai
- 2.R.Agila
- 3.K.Rajamanickam
- 4.R.Arivalagan
- 5.A.Jokken
- 6.R.Rajentheran
- 7.R.Kalimuthu
- 8.N.Kavunraj
- 9.K.Vengatesan
- 10.M.Shanmugam
- 11.P.Dhuraismy
- 12.S.Alphonshmary
- 13.Kulanthaiyammal
- 14.A.Jebamalai
- 15.M.Jayameri
- 16.K.Analmery
- 17.K.Thamas
- 18.T.Thangavel
- 19.P.Vengatesan
- 20.N.Suyampiragasam
- 21.M.Kumuthavalli
- 22.T.Balraj
- 23.C.Yogarajan
- 24.P.Kesavan
- 25.S.Govintharaj
- 26.P.Padmavathi
- 27.N.Appuramoorthi
- 28.N.Satheesh
- 29.Markeretalaxme
- 30.S.Santhi
- 31.Kirushnamoorthi
- 32.Pitchaiya
- 33.A.Baskar
- 34.Manikandan

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35.Velusamy
36.C.Rajangam
37.Maruthaiya
38.Vasantha
39.T.Veeramani
40.G.Nadarajan

... Petitioners/Petitioners

vs.

A.Annadurai
District Collector,
Thanjavur District, Thanjavur.

...Contemnors/1st Respondent

Prayer: Contempt Petition filed under Section 11 of Contempt of Courts, Act, to punish the respondent for his wilful disobedience in non-compliance of the order of this Court made in W.P.(MD)No.4746 of 2018, dated 14.03.2018.

Prayer in WP(MD) . 4746 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 2nd respondent to grant the entire compensation for he loss of the petitioners crops at the rate of 77.9% in Maharajapuram Village of Thiruvaiyaru Taluka of Thanjavur District by way of crops insurance for the year cultivating year 2016-2017 through the 4th respondent after deducting 5% already paid by considering the petitioners representation dated 23.01.2018 within the period as stipulated by this Honble Court.

For Petitioners	:Mr.A.Haja Mohideen
For Respondent	:Mr.A.Muthukaruppan
	Additional Government Pleader

O R D E R

This Contempt Petition is filed to punish the respondent for his wilful disobedience in non-compliance of the order of this Court made in W.P.(MD)No.4746 of 2018, dated 14.03.2018.

2.The petitioners earlier filed W.P.(MD)No.4746 of 2018 and the same was heard along with the batch of cases filed for similar relief to issue a Writ of Mandamus to direct the Insurance Company to grant entire compensation for the loss of the petitioners' crops at the rate of 77.9% in Maharajapuram Village of Thiruvaiyaru Taluk, Thanjavur District, after deducting 5% of the amount, which was earlier paid to the petitioners.

3.This Court, after considering the submissions made by the learned Counsel for the petitioners, directed the District Collector to consider the petitioners' representation 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 that order. Thereafter, the District Collector sent a communication, dated 27.04.2018 to the



Deputy General Manager, New India Assurance Company Limited, Chennai to take steps to pay compensation amount to the individual at the earliest and thereafter, sent an action taken report to the District Collector. In the communication, dated 27.04.2018, the respondent has given the list of 158 farmers, who are eligible to get compensation under the Crop Insurance Scheme. Similar communication was also sent to the learned Counsel for the petitioners as to the status of the representation of the petitioners, in each case, by a communication, dated 10.07.2018. It was informed to the learned Counsel for the petitioners that as per the direction of this Court, the District Collector requested the Insurance Company to settle the compensation for the petitioners as per the communication, dated 27.04.2018.

4.This Court, in the Writ Petition, has directed the District Collector to consider the petitioners' representation. This Court has not gone further to direct the Insurance Company to pay the amount as per the communication addressed to the Insurance Company.

5.Though the petitioners state that the Insurance Company was made as a party in the Writ Petitions, there was no direction against the Insurance Company. It was only the District Collector, who had been directed to consider the representation of the petitioners and pass appropriate orders. This order would not mean that the Insurance Company has also been directed to pay compensation to the petitioners. Since there is no positive direction against the Insurance Company, impleading of Insurance Company will serve no purpose. It is open to the petitioners to approach the Insurance Company on the basis of the letter / recommendation of the District Collector. Accordingly, this Contempt Petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

cmr

To

A.Annadurai

District Collector,

Thanjavur District, Thanjavur.

+1cc to M/s.Special Government Pleader, SR No.105336

CONT.P.(MD)No.1555 of 2018

16.12.2019

KK/SAR/03.01.2020/3P-3C/

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