



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) Nos.12240 and 12441 of 2019

1.Govindaraj ... Petitioner in W.P.(MD).No.12240 of 2019

2.Kamalam ... Petitioner in W.P.(MD).No.12241 of 2019

Vs.

1.The District Collector,
Pudukkottai.

2.The Joint Commissioner of Agriculture,
Pudukkottai.

3.The Tahsildar,
Karambakudi Post & Taluk,
Pudukkottai District.

4.The Assistant Agriculture Officer,
Karambakudi Post & Taluk,
Pudukkottai District.

... Respondents in both W.Ps

Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to award compensation to the petitioners for sustained by them in the Kaja Cyclone on 16.11.2018 with 12% interest till the relaization of the compensation amount.

For Petitioners in

both W.Ps : Mr.P.Ganapathi Subramanian

For Respondents in

both W.Ps : Mr.C.M.Mari Chelliah Prabhu

Additional Government Pleader

COMMON ORDER

These Writ Petitions are filed to direct the respondents to award compensation to the petitioners for sustained by them in the Kaja Cyclone with 12% interest till the relaization of the compensation amount.

2.Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioners and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.According to the petitioners, they are the owners of the punja lands situated in Karukaruchi Keela Theru Village, Karambakudi Taluk, Pudukkottai District, wherein they have raised coconut trees



and banana plants. On 16.11.2018 due to Kaja cyclone, the entire coconut and banana trees were totally damaged. Immediately, they had approached the third respondent and submitted the petition about the loss sustained by them and sought for compensation. Since no action has been taken, the petitioners are before this Court.

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4.The learned counsel appearing for the petitioners submitted that the respondents have not settled the entire compensation as eligible under the Government Order. Therefore, appropriate orders may be passed to consider the petitioners' representation dated 18.03.2019.

5.The learned Additional Government Pleader appearing for the respondents submitted that the respondents have paid a sum of Rs.2,28,200/- to the first petitioner and the wife of the first petitioner. He further submitted that the second respondent is the competent authority to consider the petitioners' representation.

6.In the light of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, is inclined to direct the second respondent to consider the petitioners' representation dated 18.03.2019 and pass orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of twelve(12) weeks from the date of receipt of a copy of this order. The petitioner is directed to give the copy of the said representation along with the copy of this order to the second respondent.

7.With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/-

Deputy Registrar (LA&M)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Pudukkottai.

2.The Joint Commissioner of Agriculture,
Pudukkottai.

3.The Tahsildar,
Karambakudi Post & Taluk,
Pudukkottai District.

4.The Assistant Agriculture Officer,
Karambakudi Post & Taluk,
Pudukkottai District.

+1 CC to Spl GP (SR-14179[F] dated 17/08/2020)

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VB (07.09.2020) 3P 6C