



*WP.(MD) Nos.14075, 14089, 16336, 18329, 18352, 18368 and 18384 of 2019*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.08.2020**

CORAM

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

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**W.P. (MD) Nos.14075, 14089, 16336, 18329, 18352,  
18368 and 18384 of 2019**

R.Mathi ... Petitioner in WP(MD). 14075/ 2019  
P.Murugananthavalli, ... Petitioner in WP(MD). 14089/ 2019  
S.Periyasamy ... Petitioner in WP(MD). 16336/ 2019  
Sathiyaseelan ... Petitioner in WP(MD). 18329/ 2019  
Adaikalam ... Petitioner in WP(MD). 18352/ 2019  
Balachandar ... Petitioner in WP(MD). 18368/ 2019  
Suchithra ... Petitioner(s) in WP(MD). 18384/ 2019

Vs. -

1. The Principal Secretary  
State of Tamil Nadu, Revenue Dept.,  
Secretariat, Fort St. George, Chennai  
2. The District Collector  
O/o.The District Collector, Thanjavur District  
3. The Revenue Divisional Officer,  
O/o.The Revenue Divisional Officer,  
Pattukkottai Tk., Thanjavur District  
4. The Assistant Director Veterinary Maintenance Dept.,  
Pattukkottai Tk., Thanjavur District  
... Respondents in WP(MD). 14075/ 2019

1. The Principal Secretary  
State of Tamil Nadu, Revenue Dept.,  
Secretariat, Fort St. George, Chennai  
2. The District Collector  
O/o.The District Collector, Thanjavur District  
3. The Revenue Divisional Officer,  
O/o.The Revenue Divisional Officer,  
Pattukkottai Tk., Thanjavur District  
4. The Assistant Director Veterinary Maintenance Dept.,  
Pattukkottai Tk., Thanjavur District  
... Respondents in WP(MD). 14089/ 2019



1. The Principal Secretary  
State of Tamil Nadu, Revenue Department,  
Secretariat, Fort St. George, Chennai
2. The District Collector  
Office of the District Collector, Thanjavur District
3. The Revenue Divisional Officer,  
Office of the Rdo, Pattukkottai Taluk, Thanjavur Dist
4. The Assistant Director Veterinary Maintenance Department,  
Pattukkottai Taluk, Thanjavur Dist

... Respondents in WP(MD). 16336/ 2019

1. The District Collector  
Thanjavur District.
2. The Revenue Divisional Officer,  
Pattukkottai, Thanjavur District
3. The Regional Joint Director  
Animal Husbandry Department , Thanjavur.
4. The Assistant Director,  
Animal Husbandry Department , Pattukkottai, Thanjavur District
5. The Village Administrative Officer,  
158, Parakkalakottai Group, 159, Krishapuram Group,  
Pattukkottai Taluk, Thanjavur District

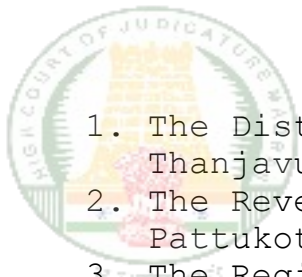
... Respondents in WP(MD). 18329/ 2019

1. The District Collector  
Thanjavur District
2. The Revenue Divisional Officer,  
Pattukkottai, Thanjavur
3. The Regional Joint Director Animal Husbandry Dept.,  
Thanjavur
4. The Assistant Director Animal Husbandry Dept.,  
Pattukkottai, Thanjavur
5. The Veterinary Assistant Surgeon,  
Veterinary Dispensary, T.Melakkadu,  
Pattukkottai Taluk, Thanjavur

... Respondents in WP(MD). 18352/ 2019

1. The District Collector  
Thanjavur Dist
2. The Revenue Divisional Officer,,  
Pattukkottai, Thanjavur Dist
3. The Regional Joint Director,  
Animal Husbandry Department, Thanjavur Dist
4. The Assistant Director,  
Animal Husbandray Department, Pattukkottai, Thanjavur Dist
5. The Village Administrative Officer,  
157, Thamarankottai North, Pattukkottai Taluk, Thanjavur Dist

... Respondents in WP(MD). 18368/ 2019



1. The District Collector  
Thanjavur District
2. The Revenue Divisional Officer,  
Pattukottai, Thanjavur District
3. The Regional Joint Director  
Animal Husbandry Dept, Thanjavur District
4. The Assistant Director Animal Husbandry  
Dept, Pattukottai, Thanjavur District
5. The Village Administrative Officer,  
158, Parakkalakottai Group, 159, Krishnapuram Group,  
Pattukottai Tk, Thanjavur District

... Respondents in WP(MD). 18384/ 2019

**PRAYER IN W.P. (MD) Nos.14075, 14089 and 16336 of 2019:**

Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to pay adequate compensation to the petitioners for the death of Poultry in Gaja storm in Thanjavur District, as per the G.O.(Ms) No. 380 dated 27.10.2015 passed by the 1st respondent.

Prayer in WP(MD). 18329 of 2019 :

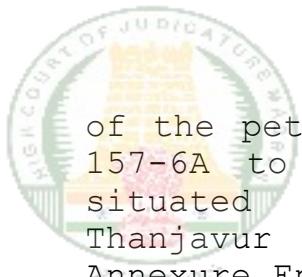
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court directing the respondents 1 and 2 herein to disburse the Gaja Cyclone Relief Fund in respect of the petitioner's poultry farm situated in S.No.4/12 to an extent of 6000 sq. feet situated at Thambikottai Region, 159, Krishnapuram Village, PattukKottai Taluk, Thanjavur District as per the Revenue (DM.III(2)) Department Annexure Enclosure G.O.Ms.No.380, Revenue Department dated 27/10/2015, on the basis of the petitioner's representation dated 03/04/2019

Prayer in WP(MD). 18352 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To Direct the respondents 1 and 2 herein to disburse the Gaja Cyclone Relief Fund in respect of the Petitioner's poultry farm situated in S.No.34/6, 159, Krishnapuram Village, Pattukottai Taluk, Thanjavur District, as per the Revenue (DM.III(2)) Department Annexure Enclosure G.O.Ms.No.380, Revenue Department dated 27.10.2015 on the basis of the petitioner's representation dated 02.04.2019.

Prayer in WP(MD). 18368 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents 1 and 2 herein to disburse the Gaja Cyclone Relief Fund in respect



of the petitioner poultry farm situated in S.Nos.157-1B, 157-5 and 157-6A to an extent of 130X18, 110X18 and 87X18 each sq feet situated at Thamarankottai North Village, Pattukottai Taluk, Thanjavur District as per the Revenue (DM III (2) Department Annexure Enclosure G.O.Ms.380 Revenue Department dated 27.10.2015 on the basis of the petitioner's representation dated 02.04.2019.

Prayer in WP(MD). 18384 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to directing the respondents 1 and 2 herein to disburse the Gaja Cyclone Relief fund in respect of the petitioners poultry farm situated in S.No.39/3,38/4A,38/5,39/9 and 39/10 to extent of 100x20,100x22,140/18,137x17 and 140x17,137x17 each sq.feet situated at Thamarankottai North Village,Pattukottai Tk,Thanjavur Dt as per the (DM III (2) Department Annexure Enclosure G.O.Ms.380 Revenue Department dated 27.10.2015 on the basis of the petitioner's representation dated 13.08.2019.

For Petitioner : Mr.I.Sabeer Mohamed  
WP(MD)No.14075,14089,16336 of 2019.  
For Respondents : Mr.C.M.Marichelliah Prabhu  
Additional Government Pleader  
WP(MD)No.14075,14089,16336 of 2019.

WP(MD)NO.18329, 18352, 18368 AND 18384 OF 2019:

For Petitioners: MR. B. ANANDAN  
For Respondents: MR. C.M MARICHELLIAH PRABHU  
Addl Government Pleader.

#### **COMMON ORDER**

These Writ Petitions are filed to direct the respondents to pay adequate compensation to the petitioners for the death of poultry in Gaja storm in Thanjavur District, as per the G.O.(Ms) No. 380 dated 27.10.2015 passed by the 1<sup>st</sup> respondent.

2.The grievance of the petitioners in all the writ petitions is that they are running the broiler farms at Thanajvaur District. During "Gaja Storm", the aforesaid broiler farms were damaged and caused heavy losses to the petitioners. In this regard, the petitioners submitted their representations to the respondents, requesting them to pay adequate compensation to all the owners of the broiler farms, who are running the broiler farms at Thanajvur District.

3.In respect of W.P.(MD) Nos.14075, 14089 and 16336 of 2019, Mr.I.Sabeer Mohamed, learned counsel appearing for the petitioner would submit that the Village Administrative Officer, 158,



Parakkalakkottai Group, 159, Krishnapuram Group and the Veterinary Assistant Surgeon, T.Melakkadu, after inspecting the farms of the petitioners, had issued a certificate to the petitioners by recording the total number of damaged / died birds by the "Gaja Storm".

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4. Thereafter, the petitioners made representations to the 2<sup>nd</sup> respondent to pay adequate compensation for the death of poultry to them and by communication dated 08.04.2019, the same has been forwarded by the Zonal Joint Director, Veterinary Maintenance Department, to the respondents 3 and 4 to take necessary action. However, without considering the Government Order passed in G.O.Ms.No.380 dated 27.10.2015, the respondents paid a meager amount of Rs.50/- for each bird as compensation to the petitioners.

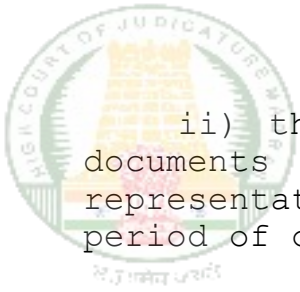
5. In respect of W.P.(MD) Nos.18329, 18352, 18368 and 18384 of 2019, Mr.B.Anandan, learned counsel appearing for the petitioner would submit that the Village Administrative Officer, 158, Parakkalakkottai Group, 159, Krishnapuram Group, after inspecting the farms of the petitioners, had issued a certificate to the petitioners by recording the total number of damaged / died birds by the "Gaja Storm". However, without considering the aforesaid Government Order, the respondents paid a meager amount of Rs.10/- for each bird as compensation to the petitioners. Challenging the aforesaid compensation, the petitioners are before this Court.

6. The learned Additional Government Pleader appearing for the respondents would submit that the petitioners are not entitled to get compensation and the certificate issued by the Village Administrative Officer is not valid and proper. In this regard, departmental proceedings have already been initiated by the authorities concerned as against the aforesaid Village Administrative Officer.

7. On perusal of the records, it is seen that no material has been placed before this Court to establish the aforesaid certificate issued by the Village Administrative Officer is false.

8. Considering the facts and circumstances of the case and in view of the arguments advanced on either side, this Court is inclined to pass the following directions:-

i) the District Collector, Thanjavur District, Thanajvur, is directed to consider all the petitioners representations dated 11.02.2019 and 13.08.2019 respectively, and to enquire into the claim made by the petitioners and the statement in the counter-affidavit and to submit a report before this Court, within a period of four weeks from the date of receipt of a copy of this order;



ii) the petitioners are directed to produce all the relevant documents and to enclose a copy of this order along with such representations to the District Collector, Thanjavur, within a period of one week from the date of receipt of a copy of this order;

9. With the above directions, these Writ Petitions are disposed of. No costs.

SD  
ASSISTANT REGISTRAR ( RECORDS )

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SUB ASSISTANT REGISTRAR ( CS II )

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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 and issue order copy on **07.08.2020**.

To

1. The Principal Secretary,  
Revenue Department,  
Secretariat,  
Fort St. George, Chennai.
2. The District Collector,  
Office of the District Collector,  
Thanjavur District.
3. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Pattukkottai Taluk,  
Thanjavur District.
4. The Assistant Director,  
Veterinary Maintenance Department,  
Pattukkottai Taluk,  
Thanjavur District.
5. The Regional Joint Director,  
Animal Husbandry Department,  
Pattukkottai, Thanjavur District.
6. The Village Administrative Officer,  
158, Parakkalakottai Group, Pattukkottai Taluk,  
Thanjavur District.



*W.P.(MD) Nos.14075, 14089, 16336, 18329, 18352, 18368 and 18384 of 2019*

7. The veterinary Assistant,  
Veterinary Dispensary, T. Melakkadu, Pattukottai.

8. The Village Administrative Officer,  
157, Thamarankottai North, Pattukottai,  
Thanjavur District.

**W.P. (MD) Nos.14075, 14089, 16336, 18329,  
18352, 18368 and 18384 of 2019  
06.08.2020**

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