



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

CORAM:

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

W.P. (MD)No.16056 of 2019

WEB COPY
Murugesan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Pudukkottai.

3.The Director of Sericulture,
Nethaji nagar,
Hasthampatti,
Salem-636 007.

4.The Assistant Director of Sericulture,
Trichy.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to disburse compensation to the petitioner for his loss of Sericulture shed situate in S.No.42/4 with an extent of 1600 sq.ft., in Samuthram Panchayat, Thanjavur Village, Thirumayam Taluk, Pudukkottai District, due to Kaja Cyclone.

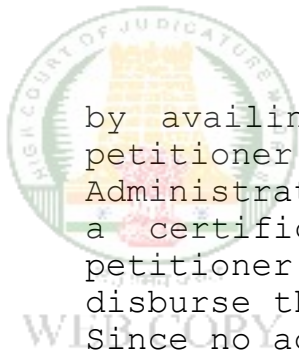
For Petitioner	: Mr.K.Balasundharam
For Respondents	: Mr.C.Ramesh Special Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to disburse the compensation to the petitioner for his loss of Sericulture shed, situated in S.No.42/4 with an extent of 1600 sq.ft., in Samuthram Panchayat, Thanjavur Village, Thirumayam Taluk, Pudukkottai District, due to Kaja Cyclone.

2.Heard Mr.K.Balasundharam, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.

3.The case of the petitioner is that he is a Sericulturist and he constructed a Silk Rearing Shed by spending about Rs.4 lakhs



by availing loan from Syndicate Bank. Due to Gaja Cyclone, the petitioner's Silk Rearing Shed was totally damaged and the Village Administrative Officer has visited the petitioner's place and issued a certificate for the aforesaid damage. In this regard, the petitioner has submitted a representation to the respondents to disburse the compensation for the loss occurred due to Gaja Cyclone. Since no action has been taken, the petitioner is before this Court.

4. So far no counter affidavit has been filed by the respondents.

5. The learned Special Government Pleader appearing for the respondents submitted that in the light of the Government Order, the petitioner is not entitled for compensation. Now, the petitioner's application is pending before the District Collector and no order has been passed. He further submitted that the aforesaid Government Order is applied to the petitioner or to any other clarification or to subsequent order if any passed by the Government, for granting of compensation and if the petitioner is eligible as per the Government Order, it is for the District Collector to consider the petitioner's application for granting of compensation.

6. In the light of the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the District Collector to consider the petitioner's representation dated 25.02.2019 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner as well as the interested parties, if any, as expeditiously as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

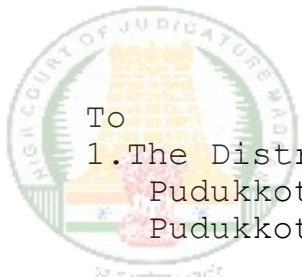
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/ /2020

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,
Pudukkottai District.

2.The Revenue Divisional Officer,
Pudukkottai.

3.The Director of Sericulture,
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Salem-636 007.

4.The Assistant Director of Sericulture,
Trichy.

+1 CC to M/s.GP (SR-16679[F] dated 11/09/2020)

W.P. (MD) No.16056 of 2019
10.09.2020

KG (CO)

KK(28.09.2020) 3P 6C