



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.16718 of 2020

and W.M.P. (MD).No.13962 of 2020

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S.Ayyakannu

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Kalayarkoil Taluk,
Sivagangai District.

3.The Village Administrative Officer,
Kavenikarai Village,
Silukkatpatti Group,
Kalayarkoil Taluk,
Sivagangai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to receive the premium for the crop insurance, for the year 2020-21, for Rabi Period, under Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme, for the petitioner's lands in S.Nos.110 and 111 of Silukkapatti Village in Kalayarkoil Taluk in Sivagangai District from the petitioner.

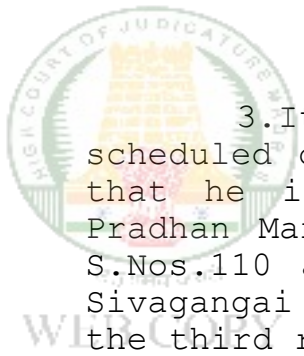
For Petitioner	:	Mr.R.Suriyanarayanan
For Respondents	:	Mrs.M.Rajeswari
		Government Advocate

ORDER

(This writ petition heard through video conference)

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 2 and 3 to receive the premium for the crop insurance for the year 2020-21, for Rabi period, under Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme, for the petitioner's lands in S.Nos.110 and 111 of Silukkapatti Village in Kalayarkoil Taluk in Sivagangai District from the petitioner.

2.Heard Mr.R.Suriyanarayanan, learned counsel for the petitioner and Mrs.M.Rajeswari, learned Government Advocate, appearing for the respondents.



3.It is the case of the petitioner that he belongs to scheduled caste community and is an agriculturist. It is his case that he is eligible to avail crop insurance payment under the Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme, for his lands in S.Nos.110 and 111 of Silukkapatti Village in Kalayarkoil Taluk in Sivagangai District. It is his case that he has been approaching the third respondent from the year 2016 to pay the insurance premium under the aforementioned scheme, but he has refused to receive the same. It is the case of the petitioner that last date for payment of insurance premium for the year 2020-221 is 30.11.2020. It is his case that he gave a representation on 05.11.2020 to the respondents 2 and 3 in person requesting him to accept the insurance premium payable under the Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme. But it is his case that despite the said representation, the respondents 2 and 3 refused to receive the insurance premium. In such circumstances, this writ petition has been filed.

4.On instructions, Mrs.M.Rajeswari, learned Government Advocate appearing for the respondents would submit that the petitioner has not satisfied the requirements for the grant of crop insurance amount under the Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme. He has also not produced the revenue records pertaining to his property for the grant of crop insurance amount under the aforementioned Scheme and that is the reason for the third respondent to refuse the receipt of the insurance premium from the petitioner. The learned counsel for the petitioner on instructions would submit that since the last date for the payment of the insurance premium is for the year 2020-21 is 30.11.2020, the respondents may be directed to receive the insurance premium from the petitioner and thereafter decide as to whether the petitioner is eligible for crop insurance amount or not.

5.This Court after hearing the rival submissions made on both sides, is of the considered view that no prejudice will be caused to the respondents, if the insurance premium payable by the petitioner for availing crop insurance amount under the Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme, for the year 2020-21, is received by the respondents and thereafter, they decide as to whether the petitioner is eligible under the said Scheme or not.

6.Accordingly, this Court directs the petitioner to pay the insurance premium amount payable under the Pradhan Mantri Fasal Bima Yojana (PMFBY) Scheme for availing crop insurance amount for the year 2020-21 for his property in S.No.110 and 111 of Silukkapatti Village in Kalayarkoil Taluk in Sivagangai District, within a period of one week from today and on receipt of the insurance premium amount, the third respondent shall decide thereafter as to whether the petitioner is eligible for the crop insurance amount or not under the aforementioned Scheme.



7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSIII)

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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,
Sivagangai District,
Sivagangai.
2. The Tahsildar,
Kalayarkoil Taluk,
Sivagangai District.
3. The Village Administrative Officer,
Kavenikarai Village,
Silukkatpatti Group,
Kalayarkoil Taluk,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-23362[F] dated 30/11/2020)

W.P (MD) .No.16718 of 2020
27.11.2020

BK (CO)
KB (03.12.2020) 3P 5C