



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.18374 of 2020
(Through Video Conference)

WEB COPY

Athimoolam

.. Petitioner

Vs.

1) The District Collector,
Tenkasi District, Tenkasi.

2) The Revenue Divisional Officer,
Sanakrankovil, Tenkasi District.

3) Mr.Gopalsamy

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 to consider the petitioner's representation dated 09.03.2020 with regard to take necessary action against the 3rd respondent for misusing the Government funds.

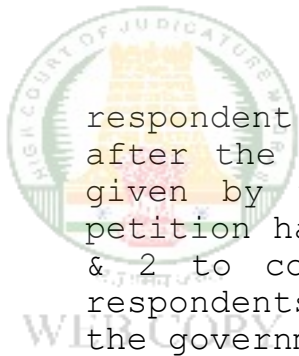
For Petitioner : Mr.P.Subbaraj

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the 1st and 2nd respondents to consider the petitioner's representation dated 09.03.2020 with regard to the complaint lodged by the petitioner against the third respondent for misusing the Government funds as it is the case of the petitioner that by submitting forged Adangal, the third respondent has availed crop insurance amount under the Government Insurance Scheme in respect of the land comprised in S.Nos.772/1, 772/1, Sevalkulam, which is owned by the petitioner.

2. It is the case of the petitioner that he has received crop insurance amount under the Government insurance scheme for his property comprised in S.Nos.772/1, 772/1, Sevalkulam. It is the further case of the petitioner that the third respondent by issuing a forged adangal has also availed crop insurance amount for the very same property. The petitioner has lodged a complaint with the respondents 1 and 2 requesting them to take legal action against the third respondent for fraudulently availing crop insurance amount for the very same property by submitting a forged adangal.

3. Learned counsel for the petitioner would submit that representations were given by him on 12.02.2018 and 09.03.2020. It is also the case of the petitioner that the first respondent has issued an enquiry notice to the petitioner and also to the third



respondent pertaining to the complaint lodged by the petitioner but after the hearing date i.e. on 29.05.2018, no further hearing was given by the first respondent. In such circumstances, this writ petition has been filed seeking for a direction to the respondents 1 & 2 to consider the petitioner's representations, requesting the respondents to take action against the third respondent for misusing the government funds.

4. The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents 1 and 2 if the petitioner's representations dated 12.02.2018 and 09.03.2020 are considered by them on merits and in accordance with law after hearing the necessary parties including the third respondent. The petitioner has given a complaint to the respondents 1 & 2 that the third respondent has fraudulently obtained crop insurance amount by submitting a forged adangal document, in respect of the very same property owned by the petitioner, who has also availed crop insurance amount. Representations were given by the petitioner on 12.02.2018 and 09.03.2020. In fact, as seen from the affidavit filed in support of the writ petition, the first respondent had also issued enquiry notice to the petitioner as well as the third respondent and fixed the hearing date as 29.05.2018. However, according to the petitioner, thereafter, no hearing date was fixed till date.

5. For the foregoing reasons, this Court directs the respondents 1 and 2 to consider the petitioner's representation dated 09.03.2020 seeking for legal action to be initiated against the third respondent for the alleged submission of forged adangal by him for availing crop insurance amount under the government Insurance scheme for the land bearing S.Nos.772/1, 772/1, Sevalkulam, which is also owned by the petitioner and pass final orders on merits and in accordance with law, after hearing the necessary parties including the third respondent within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

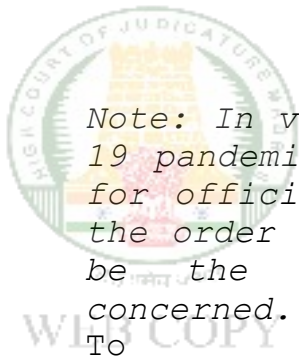
Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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, Tenkasi District, Tenkasi.
- 2) The Revenue Divisional Officer,
Sanakrankovil, Tenkasi District.

+1 CC TO M/S.SGP, SR NO.25738

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