



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.3676 of 2018

V.Parthasarathi

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Joint Director of Agriculture,
Ramanathapuram District,
Ramanathapuram.

3.The General Manager,
Agricultural Insurance Company of India Limited,
Old No.156, New No.323,
1st Floor, Andra Insurance Building,
Thambu Chetty Street,
Paris Corner,
Chennai - 600 001.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to grant compensation for the failure of the petitioner's crops in land in Patta Nos.840 and 542 at Kookudi Revenue Village, Thiruvadanai Circle, Ramanathapuram District by way of crops insurance for the cultivating year 2016-17 by considering the petitioner's representation dated 24.11.2017 within the time stipulated by this Court.

For Petitioner	: Mr.S.M.Sanjay
For RR 1 & 2	: Mr.C.Ramesh
	Special Government Pleader
For R - 3	: Mr.D.Srinivasa Ragavan
	Standing Counsel

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the respondents to grant compensation for the failure of the petitioner's crops in land in Patta Nos.840 and 542 at Kookudi Revenue Village, Thiruvadanai Circle, Ramanathapuram District by way of crops insurance for the cultivating year 2016-17 by considering his representation dated 24.11.2017 within the time stipulated by this Court.



2. According to the petitioner, he possess the punja lands in Patta Nos.840 and 542 at Kookudi Revenue Village, Thiruvadanai Circle, Ramanathapuram Distirct and he had cultivated paddy for samba crop in the year 2016-2017. The above said cultivation has been insured under the third respondent and subscribed the premium. Due to huge drought, the first respondent announced that the entire area was affected and instructed the second respondent to conduct survey and assess the loss. In the meanwhile, the petitioner received a sum of Rs.45,875.63 from the respondents as compensation. Seeking enhancement of the compensation, the petitioner sent a representation dated 24.11.2017 to the respondents along with necessary documents. Since no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.

3. The second respondent has filed the counter-affidavit, wherein it has been stated that as per the scheme, the petitioner was paid a sum of Rs.45,875.63 by the third respondent.

4. In reply, the learned counsel appearing for the petitioner submitted that the petitioner had paid the premium for the crop insurance and the said document has also been filed in the typedset of papers.

5. Considering the submissions made by the learned counsel appearing on either side and also considering the aforesaid document filed by the petitioner, the third respondent is directed to consider the aforesaid document filed by the petitioner and pay additional compensation to him, if he is eligible for the additional compensation in accordance with the Insurance Scheme. If the petitioner is not eligible for the additional compensation, the third respondent has to pass a reasoned order and the same shall be communicated to the petitioner to seek his remedy. This Court makes it clear that the third respondent shall serve the notice to the petitioner and Allizon Insurance Brokering Private Limited and to produce all the required documents so as to settle the additional compensation amount to the petitioner. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

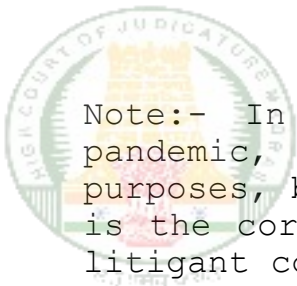
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

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.

WEB COPY

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Joint Director of Agriculture,
Ramanathapuram District,
Ramanathapuram.

+1 CC to Mr.D. SRINIVASA RAGAVAN, Advocate (SR-17501[F] dated 21/09/2020)

+1 CC to SPL GP (SR-17388[F] dated 18/09/2020)

Order made in
W.P. (MD) No.3676 of 2018
17.09.2020

VB (28.09.2020) 3P 5C