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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4302 of 2014

C.Soundararajan

...Petitioner

Vs

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Joint Director,
Agricultural Department,
Cuddalore.

3.The Special Officer,
Additional Collector,
'Thana Cyclone - 2011'
Maria Susai Nagar,
Pudupalayam, Cuddalore - 1.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay compensation for the loss and damage caused to the 50 coconut trees during 'Thane cyclone' in the property of the petitioner in S.No.557/2 at Ramapuram Village, Cuddalore taluk.

For Petitioner : Mr.D.Vasanth
For M/s.N.Suresh

For Respondents : Mr.K.M.D.Muhilan
Government Advocate



ORDER

The relief sought for in the present writ petition is to direct the respondents to pay compensation for the loss and damage caused to the 50 coconut trees during 'Thane cyclone' in the property of the petitioner in S.No.557/2 at Ramapuram Village, Cuddalore taluk.

2. The petitioner states that he owns four and half acres of land, out of which, one and half acres of land is utilized for growing coconut trees. Due to 'Thane Cyclone', 50 coconut trees were damaged, the petitioner made an application for compensation. The said application was not considered. Thus, the petitioner is constrained to move the present writ petition.

3. This Court is of the considered opinion that all such damages, compensation, must be granted scrupulously in consonance with the terms and conditions of the scheme of compensation. The eligibility criteria must be ascertained and in the present case, it is not made available, whether the case of the petitioner was considered or not. Further, the writ petition was filed in the year 2014 and now after a lapse of 6 ½ years, the relief of compensation cannot be granted by the Court. If at all, any omission or commission in the matter of considering the name of the petitioner, it is left open to the authorities to verify the same and initiate actions, if necessary.

4. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Cuddalore District,
Cuddalore.



2.The Joint Director,
Agricultural Department,
Cuddalore.

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3.The Special Officer,
Additional Collector,
'Thana Cyclone - 2011'
Maria Susai Nagar,
Pudupalayam, Cuddalore - 1.

+1cc to the Government Pleader, S.R.No.53243

W.P.No.4302 of 2014

JPL(CO)
SB(27/10/2021)