



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No. 7322 of 2021

1.E.Ganapathysamy

2.G.Mariappan

3.Jeyabarathi

4.Ramesh

5.Alwarsamy

6.Gopalasamy

7.J.Seethalakshmi

8.R.Rengalakshmi

9.G.Rajkumar

10.S.Kamalakani

11.S.V.Rajendran

12.Seeniraj

13.G.Balamurugan

14.R.Chellappa

: Petitioners

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Joint Director of Agriculture,
No.178A, TNHB Colony,
Near Uzhavar Santhai,
Tenkasi,
Tenkasi District.



3. The Tahsildar,
Thiruvengadam Taluk,
Tenkasi District.

4. The Manager,
Government Business Group,
ICICI Lombard General Insurance Company,
No. 140, Chottabhai Centre, 3rd Floor,
Nungambakkam High Road,
Chennai - 600 034.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to pay the Crop Insurance amount to the Maize Crop for the year 2017-2018 (Rabi) to the petitioners within a stipulated time limit.

For Petitioners	:	Mr. P. Subbaraj
For Respondents	:	Mr. K. P. Krishnadoss Special Government Pleader for R.1 to R.3

ORDER

(Order of the Court was made by **M.M. SUNDRESH, J.**)

The petitioners have come up with this writ petition seeking a direction to the respondents to pay the Crop Insurance amount to the Maize Crop for the year 2017-2018 (Rabi) to them.

2. When the matter came up for admission today, the learned Counsel appearing on either side submitted that in similar batch of cases in **V.Vembur and Others v. District Collector, Thoothukudi District and Others**, in **W.P. (MD) No. 2805 of 2016, etc., dated 15.03.2021**, this Court has passed the following order:

"3. From the counter affidavits filed, one could see that they have a unique way of assessing the loss. This is with respect to the stage at which the particular crop is situated as well the area. This certainly creates a lot of difficulties to the farmers. For example, within the same area, some farmers would be benefitted as against the others, who situate nearby would not get the benefit because in his area nobody is affected and the required particulars have not been furnished before the Insurance Company by the Director of Economics and Statistics and others and there will be a difficulty with respect to the quantum of compensation. There is another aspect with respect to the payment of sum, which has been assured on reaching maturity. Whatever be the issues, ultimately, it is for the District Level Grievance Redressal Committee of those Districts to resolve the same by calling the particulars from those, who are in possession of.



4. In such view of the matter, we permit the petitioners to approach the concerned District Level Grievance Redressal Committee within a period of four weeks from the date of receipt of a copy of this order, enclosing all the relevant materials and upon receipt of the said request, the said Committee has to conduct an enquiry, which includes collection of materials from other authorities, who are in possession of such particulars, and thereafter, take a conscious decision. The aforesaid exercise will have to be done within three months from the date of receipt of a copy of the request as ordered in this proceedings. Based upon the recommendation of the District Level Grievance Redressal Committee to be made, we expect the Insurance Company to honour them and make payment.

5. Accordingly, these Writ Petitions are disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs. "

3. In view of the same, this writ petition also stands disposed of in the above terms. The petitioners are permitted to approach the concerned District Level Grievance Redressal Committee within a period of four weeks from the date of receipt of a copy of this order, enclosing all the relevant materials and upon receipt of the said request, the said Committee has to conduct an enquiry, which includes collection of materials from other authorities, who are in possession of such particulars, and thereafter, take a conscious decision. The aforesaid exercise will have to be done within three months from the date of receipt of a copy of the request as ordered in this proceedings. Based upon the recommendation of the District Level Grievance Redressal Committee to be made, the Insurance Company is expected to honour them and make payment. There shall be no order as to costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



To

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+1 CC to M/s. P. SUBBARAJ, Advocate (SR-14751[F] dated 31/03/2021)

+1 CC to M/s. SPL GP (SR-15005[F] dated 01/04/2021)

W.P. (MD) No. 7322 of 2021

31.03.2021

GS(21.04.2021) 4P 7C