



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.03.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

W.P. (MD)No.2421 of 2019
(Through Video Conferencing)

S.Karuppasamy : Petitioner
Vs.

1.The Authorized Officer,
ICICI Lombard General Insurance Company Limited,
House 414 P.Balu Marg
Opp Veer Sawarkar Temple,
Near Siddivinayakar Temple
Prahadevi
Mumbai.

2.The District Level Monitoring Committee (DLMC)
Under Chairmanship of District Collector
Pradhan Mantri Fasal Bima Yojana
PMFBY Scheme
Sivagangai
Sivagangai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the 1st respondent to grant crop insurance claim equally to all villagers in Sivagangai District by calculation the claim as 100% (deficit) totally to the extent of Agriculture land have been insured by the farmers in Karaikulam (group) karaikulam village, indangulam Village, Thayanoor Village, Ponniyanthal Village, Vinnaravayal Village, Kuppakulam Village, Annai Nagar Village, Ilayangudi Taluk, Sivagangai District and consider the petitioner's representation dated 04.01.2019.

For Petitioner : Mr.S.Pugalendhi
For Respondents : Mr.K.P.Krishnadoss for R2
Special Government Pleader



ORDER

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

The pro bono litigation has been filed for a direction to the 1st respondent to grant crop insurance claim equally to all villagers in Sivagangai District.

2.It is seen that the respondents 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.

3.In such view of the matter, we permit the petitioner to approach the concerned District Level Grievance Redressal Committee, the second respondent herein, 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.

4.Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

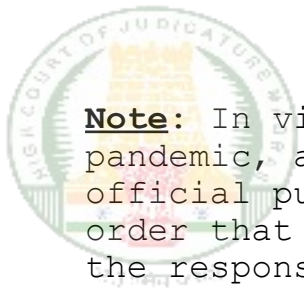
Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

RR



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:

The District Level Monitoring Committee (DLMC)
Under Chairmanship of District Collector
Pradhan Mantri Fasal Bima Yojana
PMFBY Scheme
Sivagangai
Sivagangai District.

Order made in
W.P. (MD)No.2421 of 2019
Dated: 23.03.2021

RK (22.04.2021) 3P 2C