



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Writ Petition (MD).No.3073 of 2018

WEB COPY

C.Maragatham

... Petitioner

Vs.

- 1.The Secretary, (Chief Ministers relief fund)
Financial Department,
Government of Tamil Nadu,
Chennai.
- 2.The District Collector,
Sivagangai,
Sivagangai District.
- 3.The Primary Agricultural Co-operative Society,
Sakkoor, it is represented by Secretary,
Sakkoor Post,
Kalaiyarkovil Taluk,
Sivagangi District.
- 4.The Agriculture Insurance Company of India Limited,
(Pradhan Mantri Fasal Bima Yojana (PMFBY),
Regional Office,
No.812, E.V.R.Periyar Road,
1st Floor, (Indian Bank),
Kilpauk,
Chennai 10.
- 5.The Regional Manager,
Central Co-operative Bank,
Sivagangai.
- 6.The Registrar,
The Central Co-operative Primary Agricultural Bank,
Chennai.
- 7.The Deputy Registrar,
The Central Co-operative Primary Agricultural Bank,
Sivagangai.



8.The Joint Registrar,
The Central Co-operative Primary Agricultural Bank,
Sivagangai.

9.Mr.Rajendran,
The President,
Sakkoor Co-operative Primary Agricultural Bank,
Sakkoor.

10.Mr.Thandapani,
Secretary of Sakkoor Co-operative Primary Agricultural Bank,
Sakkoor.

11.The Inspector of Police,
C.C.I.W. Police Station,
Sivagangai,
Sivagangai District.

12.The General Manager,
ICICI Lombard General Insurance Company Limited,
V.V.Complex,
Bye Pass Road,
Madurai -10.

(12th respondent is impleaded as per the order
of this Court, dated 02.07.2021 in W.M.P. (MD) .
No.7800 of 2018)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to forthwith pay the insurance amount to the petitioner and more than 1000 farmers through the Chief Minister's Relief Fund and recover the insurance amount from corrupt official enrolled by the petitioner and farmers in third respondent, on the basis of the representation, dated 07.11.2017.

For Petitioner	: Mr.S.Pugalendhi
For R1 & R2	: Mr.R.Baskaran
	Standing counsel for Government
For R3	: Mr.M.Murugan
For R4	: Mr.D.Srinivasa Raghavan
For R5	: Mr.D.Shanmugaraja Sethupathi
For R6 to R11	: No appearance



O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Mr.S.Pugalendhi, learned counsel appearing for the petitioner, Mr.R.Baskaran, learned Standing counsel appearing for the respondents 1 and 2, Mr.M.Murugan, learned counsel appearing for the third respondent, Mr.D.Srinivasa Raghavan, learned counsel appearing for the fourth respondent and Mr.D.Shanmugaraja Sethupathi, learned counsel appearing for the fifth respondent.

2. The petitioner has filed this writ petition seeking for a direction to the first respondent to forthwith pay the insurance amount to the petitioner and more than 1000 farmers through the Chief Minister's Relief Fund and recover the same from the corrupt official enrolled by the petitioner and the farmers in the third respondent, on the basis of her representation, dated 07.11.2017.

3. An identical issue was considered by this Court in a batch of writ petitions in W.P.(MD).Nos.2805 of 2016 etc., batch, dated 15.03.2021 and the claimants were directed to approach the District Level Grievance Redressal Committee.

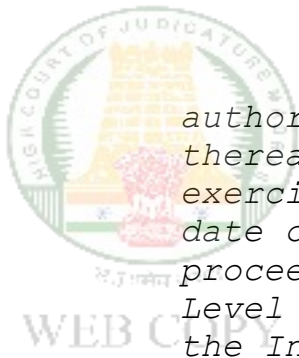
4. Mr.D.Shanmugaraja Sethupathi, learned counsel appearing for the Central Co-operative Bank, Sivagangai, on instructions submitted that the amount of crop insurance payable to each of the petitioners and seven others have been calculated and deposited in their respective bank accounts in the Primary Agricultural Co-operative Society.

5. The learned counsel for the petitioner is not aware of the said position.

6. The learned counsel appearing for the fourth respondent would submit that the fourth respondent is not a proper or necessary party. In fact, the petitioner realising the same, has impleaded the General Manager, ICICI Lombard General Insurance Company Limited, V.V.Complex, Bye Pass Road, Madurai -10 as 12th respondent. Therefore, there is no direction issued to the fourth respondent in this writ petition.

7. The operative portion of the said order dated 15.03.2021 in W.P.(MD).Nos.2805 of 2016 etc., batch, passed by the Division Bench of this Court, reads as follows:

"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."

8. Accordingly, the Writ Petition is disposed of, in terms of the above order and the petitioner is directed to comply with the same, if still her grievance subsists. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

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 Secretary, (Chief Ministers relief fund)
Financial Department,
Government of Tamil Nadu, Chennai.

2.The District Collector,
Sivagangai,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-21210[F] dated 05/07/2021)

+1 CC to M/s.D.SHANMUGARAJASETHUPATHI, Advocate (SR-21355[F] dated 06/07/2021)

+1 CC to M/s.D.SRINIVASARAGAVAN, Advocate (SR-11568[F] dated 16/03/2021)

Writ Petition (MD).No.3073 of 2018

02.07.2021

MGJ(23.07.2021) 4P 6C