



W.P(MD)No.14902 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14902 of 2019

R.Chellam

... Petitioner

Vs.

- 1.The Managing Director,
Sivagangai District Central Cooperative Bank Ltd.,
Sivagangai.
- 2.The Joint Registrar of Cooperative Societies,
O/o.the Joint Registrar of Cooperative Societies,
Sivagangai.
- 3.The Secretary,
Aranaiyur Primary Agricultural Cooperative Credit Society,
Aranaiyur, Ilayangudi Taluk,
Sivagangai District.
- 4.The Are Manager,
Government Business Group,
ICICI Lombard General Insurance Company Ltd.,
No.140, Chotta Bai Centre, 3rd Floor,
Nungambakka High Road,
Nungambakkam, Chennai – 34.

... Respondents

*(R4 is impleaded vide order dated 02.08.2019
made in W.M.P(MD)No.13031 of 2019 in W.P.
(MD)No.14902 of 2019 by ASMJ)*



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take action on the petitioner's representation dated 13.11.2018 for the payment of balance insurance amount, which is entitled to the petitioner to the property situated in S.No.170/2 at Nenjathur Village, Ilayangudi Taluk, Sivagangai District.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.D.Shanmugaraja Sethupathi for R1.
Mr.S.R.A.Ramachandran,
Addl. Government Pleader for R2 & R3.
Mr.P.Pethu Rajesh for R4.

ORDER

Heard the learned counsel on either side.

2.The petitioner is an agriculturist. His grievance is that he has not been paid due insurance crop benefit. The petitioner claims to have insured for a sum of Rs.1,04,000/-. However, he was paid only Rs.50,000/-. The petitioner wants payment of the balance amount also.

3.The learned counsel for the Insurance Company would state that after making proper assessment of the damage suffered by the petitioner, the amount in question has been paid. My attention is drawn to the order dated 13.09.2022



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made in W.P.(MD)No.17166 of 2017. The Hon'ble Division Bench had held that the Writ Court cannot decide the amount to be paid under the National Agricultural Insurance Scheme to the insured farmers. I, therefore, grant liberty to the petitioner to approach the concerned authority namely, the District Level Grievance Redressal Committee. The District Collector is the chairman of the committee. After the petitioner submits his claim, the same will be disposed of on merits and in accordance with law after notice to all the stakeholders within a period of twelve weeks thereafter.

4.The writ petition is disposed of accordingly. No costs.

14.12.2022

Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Joint Registrar of Cooperative Societies,
O/o.the Joint Registrar of Cooperative Societies,
Sivagangai.
- 2.The Secretary,
Aranaiyur Primary Agricultural Cooperative Credit Society,
Aranaiyur, Ilayangudi Taluk,
Sivagangai District.



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G.R.SWAMINATHAN, J.

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