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W.P.No.17345 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.17345 of 2023

and

W.M.P.No.16487 of 2023

Tamizhaga Anaithu Vivasayigal
Orunginaippu Sangam,
Mayiladuthurai District,
Reg.No.139/2021,
Represented by the District
Secretary V.Viswanathan,
Sirkazhi Taluk,
Mayiladuthurai District.

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by Secretary,
Revenue and Disaster Management Department,
Disaster Management Wing (DM-II Section),
Fort St.George,
Chennai – 600 009.

2.The District Collector,
Mayiladuthurai District,
Mayiladuthurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India
for issuance of a Writ of Mandamus, directing the first respondent to pass



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appropriate orders following the report of the second respondent District Collector of Mayiladuthurai District dated 29.11.2022 declaring the Mayiladuthurai District as one affected by Natural Calamity and Disaster due to heavy rainfall following the North East Monsoon during 01.11.2022 to 12.11.2022 and to waive the Agricultural loans availed by the farmers and agriculturists of Mayiladuthurai District from Co-Operative Banks, Societies and Banks.

For Petitioner : Mr.S.Sadasharam

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

The Writ Petition has been filed for a Writ of Mandamus, to direct the first respondent to pass appropriate orders following the report of the second respondent District Collector of Mayiladuthurai District dated 29.11.2022 declaring the Mayiladuthurai District as one affected by Natural Calamity and Disaster due to heavy rainfall following the North East Monsoon during 01.11.2022 to 12.11.2022 and to waive the Agricultural loans availed by the farmers and agriculturists of Mayiladuthurai District from Co-Operative Banks, Societies and Banks.



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2. Mr.P.Sathish, learned Additional Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, it is a Sangam, which has been formed to protect the welfare of the agriculturists in Mayiladuthurai District and the petitioner-Sangam has been taking all efforts to secure the rights of the agriculturists in Mayiladuthurai District. As a matter of fact, the agriculturists have availed loans from the Primary Agricultural Co-Operative Society for the purpose of the cultivation. Due to advent of North East Monsoon, there was a heavy rain between 01.11.2022 to 12.11.2022, which resulted in damage of paddy crops. Hence, the second respondent had sent a report dated 29.11.2022 to the first respondent seeking to issue orders declaring the entire Mayiladuthurai District as affected district by natural calamities and disaster due to heavy rain during 01.11.2022 to 12.11.2022 to avail the benefits of waiver of bank loans. However, without considering the same, the Revenue and Disaster Management Department, Disaster Management Wing (DM-II Section),



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has passed a Government Order in G.O.(Ms).No.624 dated 30.12.2022, sanctioning a sum of Rs.50,88,84,224/- under State Disaster Response Fund (SDRF) towards to provide Input Subsidy Relief Assistance to the affected farmers whose agricultural crops were damaged more than 33% in an extent of 37,755.6546 Ha. in 27 Districts during the North East Monsoon 2022 for the period from 01.10.2022 to 04.12.2022.

3.1. It is the further case of the petitioner that, if appropriate Government Order is issued by the first respondent following the report of the second respondent, declaring the Mayiladuthurai District as affected District by natural calamity and disaster due to heavy rainfall, the agriculturists in Mayiladuthurai District would be able to survive and secure their livelihood in future. Therefore, the petitioner filed the above writ petition before this Court.

4. Though very many grounds have been raised in the writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court, issues a direction to the first respondent to pass appropriate orders following the report of the second respondent, dated



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29.11.2022 seeking to declare the Mayiladuthurai District as affected District by Natural Calamity and Disaster due to heavy rainfall following the North East Monsoon during 01.11.2022 to 12.11.2022 and to waive the Agricultural loans availed by the farmers and agriculturists of Mayiladuthurai District from Co-Operative Banks, Societies and Banks, within a time frame that may be stipulated by this Court.

5. On the above said contentions, heard the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

6. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the first respondent to pass appropriate orders in the light of G.O.(Ms).No.624, Disaster Management Department, Disaster Management Wing (DM-II Section), dated 30.12.2022, following the report of the second respondent dated 29.11.2022, within a period of six (6) weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI, J.

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7. With the above directions, the Writ Petition is disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

1.The Secretary,
Revenue and Disaster Management Department,
Disaster Management Wing (DM-II Section),
Fort St.George,
Chennai – 600 009.

2.The District Collector,
Mayiladuthurai District,
Mayiladuthurai.

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