



W.P.(MD)No.1634 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.1634 of 2021

Marimuthu

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Regional Manager,
Agriculture Insurance Company of India Ltd.,
1st Floor, Andhra Insurance Building, Old No.
156, New No.323, Thambbu Chetty Street,
Paris Corner, Chennai-600 001.
- 3.The Director,
Office of the Agricultural Department,
Ramanathapuram District,
Ramanathapuram.
- 4.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District
- 5.The Assistant Director,
Agricultural Department, Thiruvadanai Taluk,
Ramanathapuram District.



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6. The Secretary,
Primary Cooperative Credit Society,
Nn243 Neerkunram, Thiruvadanai Taluk,
Ramanathapuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents to disburse the amount of insurance for the failure of crops under the National Agricultural Crop Insurance Scheme to the Petitioner for the year 2018-2019 based on the representation dated 06.01.2021 including respect of petitioner wife properties comprised in total an extent of 1.86.5 acre in Patt No.241 1025 situated at Kadamboor Village and Group, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner : Mr.P.Kannathasan

For R-1, R-3
R-4 & R-5 : Ms.D.Farjana Ghoushia,
Special Government Pleader

For R-2 : Mr.D.Srinivasaragavan

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondents to disburse the insurance amount under the Agricultural Crop Insurance Scheme for the year 2018-19 with interest based on the representation on 06.01.2021.



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2. The case of the petitioner is that as per the National Agricultural Crop Insurance Scheme, he has remitted the insurance amount of Rs.5,550/- in the Ramanathapuram National Co-operative Bank Limited at Thiruvadanai, Ramanathapuram District. That apart, the petitioner is also a member of the sixth respondent Society. The petitioner claims that he is entitled for the total insurance claim amount for the year 2018-2019 and whereas, the sixth respondent Society has disbursed a sum of Rs.22,860/- (Rupees Twenty Two Thousand Eight Hundred and Sixty only) for only four persons. The same was objected by the petitioner and others and an assurance was given by the sixth respondent Society to the effect that the claim will be disbursed at the rate of Rs.5,000/- (Rupees Five Thousand only) per acre. Since the same has not been considered, the present Writ Petition has been filed before this Court.

3. The learned counsel appearing on behalf of the second respondent submitted that the agricultural lands in the present case is situated at Kadambur Village, Thiruvadanai Taluk. Before the fixation of the claim amount, a study was made and it was found that the Kadambur Village fell within the category of “Failed Sowing” and therefore, the



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compensation was fixed only for 25% of the sum insured. Accordingly, a sum of Rs.14,227.51 was also paid to the petitioner on 02.12.2020. The learned counsel submitted that the petitioner is not entitled for 100% compensation as claimed by the petitioner. To substantiate this submission, the relevant records were also placed before this Court.

4. It is seen from the records that a detailed study has been made by the second respondent and each place has been identified and it has also been categorized. Insofar as the places which fall within the category of failed sowing are concerned, 25% of the claim amount is paid. This amount has already been paid to the petitioner.

4. In view of the same, there is no scope for directing the respondents to pay 100% of the compensation to the petitioner. In view of the above, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed. No costs.

10.10.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

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