



W.P(MD)Nos.8842 and 8942 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2023

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THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)Nos.8842 and 8942 of 2023

Maheswaran ... Petitioner in W.P(MD)No.8842 of 2023

Suresh ... Petitioner in W.P(MD)No.8942 of 2023

Vs.

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Joint Director of Agriculture,
Palayamkottai,
Tirunelveli District

3.The Assistant Director of Agriculture,
Valliyoor,
Tirunelveli District.

... Respondents in both Writ Petitions

Common Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents herein to conduct fresh survey of paddy fields situated at Kannanallur village, Tirunelveli District in order to assess the exact loss and further direct the respondents herein to disburse the exact compensation to the petitioner herein along with interest within the time frame stipulated by this Court.



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For Petitioners : Mr.R.Niresh Kumar

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader
(W.P(MD)No.8842 of 2023)

For Respondents : Mr.J.Ashok
Additional Government Pleader
(W.P(MD)No.8942 of 2023)

COMMON ORDER

Since the facts in both the writ petition overlap and arguments were advanced in common by both the learned counsel for the petitioner and the learned Special Government Pleader, a common order is passed.

2. Let me as a illustration, relate the fact in W.P.(MD)No. 8842 of 2023. The writ petition has been filed in the nature of mandamus seeking a direction against the respondents, District Collector, Tirunelveli, Joint Director of Agriculture, Palayamkottai and the Assistant Director of Agriculture, Valliyoor in Tirunelveli District to survey the lands of the petitioner at Kannanallur Village, Tirunelveli District to assess the exact loss and for a further direction to disburse the compensation to the petitioner.



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3. The petitioners, as a matter of fact, both the petitioners have availed privilege of joining with the Prathan Manthri Fasal Bima Yojna which is a scheme under the Ministry of Agriculture and Farmers' Welfare. This fact cannot be denied or disputed. It is stated that owing to the failure of the monsoon, the agriculture crops of the petitioner had dried up, necessitating, the petitioners to take recourse to the provisions of the said scheme. The provisions of the said scheme had been written down in G.O., namely G.O.Ms. No.196 Agriculture(AP-2) Department dated 06.09.2019.

4. Among various grievance committees which had established under the Government order, one of them is the District Level Joint Committee which is headed by the District Collector and has a string of members starting from the District Revenue Officer onwards. The function of the District Level Grievance Committee, is to address grievances within a period of 15 days and that the decision of the committee should be accepted by all the parties and if there is any disagreement, the party should move over to the State Level Grievance Redressal Committee, within a further period of 15 days. A time limit of 7 days is also given for the issue to be discussed and orders to be taken up for consideration. The grievance of the petitioner will necessarily have to be addressed only by the said District Level Grievance Redressal Committee at



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Tirunelveli District.

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5. Learned Special Government Pleader pointed out the representation given by the petitioner herein, wherein the petitioner has stated that there had been assessment of the land but the grievance of the petitioner is that such assessment was not done properly.

6. If that be the grievance, then the grievance should be addressed to the said Redressal committee at the District level. The petitioner had addressed a representation to the District Collector in his individual capacity. That may not be the proper procedure as the Collector would never know that the letter received by him relates to a particular scheme and that it should be placed before the District Level Grievance Redressal Committee. The petitioners in both the cases may, therefore, give a fresh representation, specifically addressing the same to the District Level Grievances Redressal Committee and also draw attention to the earlier representation given by them, which is enclosed as a document in the writ petition and urge upon the committee to examine the said representation and act in accordance with the Government order mentioned above. This Court cannot come to the rescue of the petitioner, since it is a matter under the exclusive purview of the said District Level



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Grievances Redressal Committee. The more the number of days the writ petition is kept pending, the more would be the delay in the petitioner getting any relief from the correct and proper source, namely the District Level Grievance Redressal committee.

7. This Writ petitions are disposed of, with a direction to the petitioners to act in accordance with the G.O., give a fresh representation and a direction is given to the committee and to examine the representation when it is received by them within a period of 10 working days and to act in accordance with the aforementioned Government order. No costs.

19.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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C.V.KARTHIKEYAN, J.

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To

- 1.The District Collector, Tirunelveli, Tirunelveli District.
- 2.The Joint Director of Agriculture, Palayamkottai,
Tirunelveli District
- 3.The Assistant Director of Agriculture, Valliyoor, Tirunelveli District.

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