



W.P.(MD)No.10592 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.10592 of 2021

N.Subramaniyan

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Joint Director,
District Agriculture Office,
Ramanathapuram District.
- 3.The Managing Director,
Ramanathapuram District Central
Co-operative Bank, Head Office,
Ramanathapuram.
- 4.The Secretary,
N.N.578, Thottamangalam Credit Society,
Thiruvadanai Taluk,
Ramanathapuram District.
- 5.Agriculture Insurance
Company of India,
Chennai Regional Office,
Andhra Insurance Building 1st Street,
323, Thambu Chetty Street,
Parry's Corner,
Chennai – 600 001.

... Respondents

*(R-5 is suo motu impleaded vide Court Order
dated 26.07.2021 in W.P.(MD).No.10592 of 2021)*



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant paddy crop insurance in 2018-19 (1428 pasali) to his lands based on the representation dated 24.02.2021.

For Petitioner : Mr.P.Muthusamy

For R-1 and R-2 : Mr.B.Saravanan
Additional Government Pleader

For R-3 : Mr.D.Shanmugaraja Sethupathy

For R-4 : No Appearance

For R-5 : Mr.D.Srinivasaragavan

ORDER

This Writ Petition was originally disposed of by an order dated 26.07.2021 directing the petitioner to make a fresh representation to the respondents 4 and 5 along with all the relevant documents, in order to enable the respondents to pay the compensation amount to the petitioner.

2. Pursuant to the above order, a review application was filed and in Review Application (MD). No.7 of 2022, by an order dated 11.11.2022, the Writ Petition was restored back on file.



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3. When the matter came up for hearing on 11.11.2022, this Court passed

the following order:

“By virtue of the order passed in the Review petition in Rev.Aplc(MD)No.7 of 2022, dated 11.11.2022, this writ petition was restored. A final order was passed in the writ petition on 26.07.2021, directing the fifth respondent Insurance Company to deposit the compensation amount pertaining to the writ petitioner before the fourth respondent Society. However, only at a later point of time, when the review was filed by the fifth respondent, it came to the attention of this Court that the District Level Grievance Redressal Committee, headed by the District Collector is yet to place the recommendation before the fifth respondent. Only if this process is completed, the fifth respondent will be in a position to deposit the amount before the fourth respondent Society.

2.In view of the above, the petitioner is directed to make a fresh representation along with all relevant documents before the District Level Grievance Redressal Committee through the District Collector, Ramanathapuram District. On receipt of the same, a decision shall be taken by the Committee within a period of four weeks from the date of receipt of a copy of this order. If the recommendation is made by the Committee to the fifth respondent, the fifth respondent Insurance Company shall follow it up and the amount shall be deposited before the fourth respondent Society. If on the contrary, the



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Committee decides to reject the claim made by the petitioner, the same shall be informed to the petitioner after the decision is taken.

3.Post this writ petition under the caption for “reporting compliance” after six weeks.”

4. The case was once again listed for hearing on 18.10.2023 and following order was passed by this Court:

“It is seen from records that originally this writ petition was disposed of vide order, dated 26.07.2021. Thereafter, by virtue of the order in Review petition in Rev.Aplc(MD)No.7 of 2022, dated 11.11.2022, the writ petition was restored back to file.

2.When the matter came up for hearing on 11.11.2022, this Court has passed the following order: “By virtue of the order passed in the Review petition in Rev.Aplc(MD)No.7 of 2022, dated 11.11.2022, this writ petition was restored. A final order was passed in the writ petition on 26.07.2021, directing the fifth respondent Insurance Company to deposit the compensation amount pertaining to the writ petitioner before the fourth respondent Society. However, only at a later point of time, when the review was filed by the fifth respondent, it came to the attention of this Court that the District Level Grievance Redressal Committee, headed by the District Collector is yet to place the recommendation before the fifth



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respondent. Only if this process is completed, the fifth respondent will be in a position to deposit the amount before the fourth respondent Society.

2.In view of the above, the petitioner is directed to make a fresh representation along with all relevant documents before the District Level Grievance Redressal Committee through the District Collector, Ramanathapuram District. On receipt of the same, a decision shall be taken by the Committee within a period of four weeks from the date of receipt of a copy of this order. If the recommendation is made by the Committee to the fifth respondent, the fifth respondent Insurance Company shall follow it up and the amount shall be deposited before the fourth respondent Society. If on the contrary, the Committee decides to reject the claim made by the petitioner, the same shall be informed to the petitioner after the decision is taken.

3.Post this writ petition under the caption for “reporting compliance” after six weeks.”

3.The learned Additional Government Pleader appearing on behalf of the respondents 1, 2 and 4 shall take instructions on the present status, pursuant to the earlier order passed by this Court on 11.11.2022. The learned Additional Government Pleader shall specifically take instructions from the District Collector, Ramanathapuram District with regard to the decision taken by the District Level Grievance Redressal Committee. Only after



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ascertaining the same, consequent direction can be issued to the respondents 4 and 5.

4.Post this case under the caption 'for orders' on 08.11.2023."

5. The case was once again listed for hearing on 10.11.2023 and this Court passed the following order:

"When the matter is taken up for hearing today, the learned Additional Government Pleader appearing on behalf of the respondent submitted that the petitioner was directed to make a fresh representation along with all the relevant documents before the District Level Grievance Redressal committee and such representation was not made by the petitioner and therefore, the District Level Grievance Redressal committee was not able to take any decision.

2.Per contra, the learned counsel for the petitioner submitted that pursuant to the order passed on 11.11.2022, a fresh representation was made on 23.11.2022 along with all relevant documents.

3.This Court does not want to get into this issue. Therefore, there shall be a direction to the learned counsel for the petitioner to hand over a copy of the representation made on 23.11.2022 along with the copies of the relevant documents to the learned Additional Government Pleader today. The learned Additional Government Pleader shall send these documents to the District Collector,



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Ramanathapuram District, who shall in turn place it before the District Level Grievance Redressal Committee. The committee shall proceed further and take a decision within a period of four weeks from today (i.e., 10.11.2023). Thereafter, the directions that were given in the earlier order dated 11.11.2022 shall be complied with. 4.List this case under the same caption on 08.12.2023

6. When the case was taken up for hearing today, the learned Additional Government Pleader submitted that the District Level Grievance Redressal Committee in the meeting held on 15.12.2023 has recommended for the payment of insurance amount to the petitioner. The learned Standing Counsel appearing on behalf of the fifth respondent also confirmed this fact. In view of the above, the insurance compensation amount shall be paid to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of in the above terms. No costs.

19.12.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To

WEB COPY

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Joint Director,
District Agriculture Office,
Ramanathapuram District.



WEB COPY



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N.ANAND VENKATESH, J.

Nsr

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