



W.P.(MD)No.11054 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.11054 of 2021

M.Chandrasekaran

... Petitioner

-VS-

1.The District Collector,
Office of the District Collector,
Thoothukudi District, Thoothukudi.

2.The Agriculture Insurance Company,
Office Block -1, 5th Floor,
Plot B and C East Kidwai Nagar Ring Road,
New Delhi - 110 023.

3.Indian Overseas Bank,
Kayatharu Branch, Tuticorin District.

... Respondents

[R3 is *suo motu* impleaded vide the order of this Court
dated 05.07.2021]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide crop insurance amount to the petitioner in the petitioner's Account No. 243901000000702 in respect of land situated in Patta No.254/7C, 305/1A36, 313/1B1A, 316/1B, 334/1, 353/2, 353/3A and 353/3C at Chithava Nayakkanpatti Village, Vilathikulam Taluk, Thoothukudi District, within the



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time period stipulated by this Court, based on the representation dated 12.05.2021.

For Petitioner : Ms.K.Mahalakshmi
For R1 : Ms.S.Jeyapriya
Government Advocate
For R2 : Mr.D.Srinivasaragavan
For R3 : Mr.N.Dilipkumar
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to pay the crop insurance amount to the petitioner with respect to the subject properties for the year 2019-2020.

2. The case of the petitioner is that he has paid the insurance premium amount for the subject properties before the third respondent Bank. The petitioner faced loss due to failure of crops. When the claim was made, the same was not granted and hence, the present Writ Petition was filed before this Court.



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3. The second respondent has filed a detailed counter affidavit along with all the relevant documents. Insofar as the claim that is made by the petitioner, that has been captured in Paragraph No.5 of the counter affidavit and the same is extracted hereunder:-

5. It is respectfully submits that the Petitioner has insured his Crops cultivated in Chithavanaickenpatti Village under PMFBY – Rabi 2019-20 season through Common Service Centre vide Application Number 040233190010171143. The Application details as downloaded from Nation Crop Insurance Portal (NCIP) is annexed as **Exhibit 1**.

Application ID	Farmer Name	Crop	Village	Survey Number	Area Insured (Ha)	Sum Insured (Rs)	Application Source
040233190010171143001	Sandra sekaran M	Red Chillies	Chithavanaickenpatti	321/3B	0.05	2537.95	CSC
040233190010171143002		Maize (Makka) - III		334/1	1.515	58938.04	CSC
040233190010171143003		Maize (Makka) - III		313/1B1A	1.125	43765.87	CSC
040233190010171143004		Black Gram (Urad)		316/1B	0.685	26648.55	CSC
040233190010171143005		Onion		321/3B	0.03	1333.8	CSC
040233190010171143006		Green Gram (Moong)		305/1A36	0.81	31511.43	CSC
040233190010171143007		Green Gram (Moong)		353/3A	0.505	19646.01	CSC
040233190010171143008		Green Gram (Moong)		353/3C	0.475	18478.92	CSC
040233190010171143009		Green Gram (Moong)		353/2	0.755	29371.76	CSC
040233190010171143010		Green Gram (Moong)		254/7C	1.09	42404.27	CSC



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4. The above claim made by the petitioner was considered after taking into account the relevant data and it was found that the petitioner was eligible for insurance claim with respect to Onion. For proper appreciation, Paragraph No.7 of the counter affidavit filed by the second respondent is extracted hereunder:-

7. It is respectfully submitted that this respondent has received yield data from Tamil Nadu State Department of Economics and Statistics and have settled eligible claim, if any, as per the Scheme provision. The Actual yield data reported for the petitioner's insured Crop and Village is annexed as **Exhibit 3**. The eligible claim for Petitioner's insured crop and village is given below:

Crop	Actual Yield (Kg/Ha)	Threshold Yield (Kg/Ha)	Shortfall %	Sum Insured (Rs)	Claim Payable (Rs)
Maize - III	2282.00	887.49	0%	1,02,703.91	-
Onion	557.00	3738.42	85%	1,332.80	1,135.07
Green Gram	250.00	153.06	0%	1,41,412.39	-
Red Chillies	460.00	215.24	0%	2,537.95	-
Black Gram	190.00	178.83	0%	26,648.55	-

It is submitted that this respondent has already settled eligible claim of Rs. 1,135.07 against Application Number 040233190010171143005 on 04/12/2020 vide NEFT Ref No



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AXISP00165086602.As on date there is no claim pending under PMFBY Scheme for the Said season and Crop.

It is submitted that there is no negligence and deficiency of services on the part of this Respondent. The complainant has not suffered any mental tension, agony, pain, harassment, or any financial/economic loss due to any act of this Respondent. The Petitioner has no cause of action to file the present this petition against this Respondent. This respondent has done its duty as per the PMFBY Scheme mandate and have not deviated any provisions of the Scheme.

5. In the light of the above stand taken by the second respondent and after considering the entire materials that were submitted before this Court, this Court holds that the other claims that have been made by the petitioner are not sustainable and this Writ Petition is disposed of accordingly. No costs.

NCC : Yes/No

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Index : Yes/No

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N.ANAND VENKATESH, J.

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