



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16868 of 2015 AND

M.P.(MD)No.1 of 2015

Thirukannan

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Village Administrative Officer,
A.Punavasal Village,
Kadaladi Taluk,
Ramanathapuram District.

3. The President,
Q-1193 A.Punavasal Primary Agricultural
Cooperative Credit Society,
A.Punavasal Village,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to pay Rs.46,270/- to the petitioner as compensation under the National Agricultural Insurance Scheme in view of the 2nd Respondent's adangal certificate for the fasli year 1423 in respect of the petitioner's agricultural properties in S.Nos. 212/1B1B1, 209/2B, 213/1B3, 351/6D, 200/1A2, 155/2C at Punavasal Village by considering the 3rd



respondent's beneficial list for the year 2013-14 by considering the petitioner's representation dated 10.09.2015 within the period stipulated by this Court.

For Petitioner : Mr.M.Mohamed Sherbudeen

For R-1 & R-2 : Mr.N.GA.Nataraj,
Government Advocate

For R-3 : Mr.C.G.Pethanaraj

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is a farmer. He seeks disbursement of the crop insurance amount.

3.The Hon'ble Division Bench vide order dated 15.03.2021 in W.P.(MD)Nos.2805 of 2016 etc., had held as follows:-

“3.From the counter affidavits filed, one could see that they have a unique way of assessing the loss. This is with respect to the stage at which the particular crop is situated as well the area. This certainly creates a lot of difficulties to the farmers. For example, within the same area, some



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farmers would be benefitted as against the others, who situate nearby would not get the benefit because in his area nobody is affected and the required particulars have not been furnished before the Insurance Company by the Director of Economics and Statistics and others and there will be a difficulty with respect to the quantum of compensation. There is another aspect with respect to the payment of sum, which has been assured on reaching maturity. Whatever be the issues ultimately, it is for the District Level Grievance Redressal Committee of those Districts to resolve the same by calling the particulars from those, who are in possession of.

4. In such view of the matter, we permit the petitioners to approach the concerned District Level Grievance Redressal Committee within a period of four weeks from the date of receipt of a copy of this order, enclosing all the relevant materials and upon receipt of the said request, the said Committee has to conduct an enquiry, which



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includes collection of materials from other authorities, who are in possession of such particulars, and thereafter, take a conscious decision. The aforesaid exercise will have to be done within three months from the date of receipt of a copy of the request as ordered in this proceedings. Based upon the recommendation of the District Level Grievance Redressal Committee to be made, we expect the Insurance Company to honour them and make payment.”

4. The petitioner had already lodged a claim before the District Level Grievance Redressal Committee. The Chairman of the said committee is directed to process the petitioner's claim and pass final order within a period of six weeks from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

13.07.2023

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

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Village Administrative Officer,
A.Punavasal Village,
Kadaladi Taluk,
Ramanathapuram District.



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G.R.SWAMINATHAN,J.

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