



W.P(MD)No.4476 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4476 of 2015

S.Chellasamy

... Petitioner

Vs.

1.The Secretary,
Department of Agriculture and Cooperation
Ministry of Agriculture,
(Government of India),
Krishi Bhawan,
New Delhi 110 001.

2.The Secretary,
Department of Agriculture,
State Government of Tamil Nadu,
Secretariat, Chennai – 600 009.

3.The District Collector,
Thoothukudi District,
Collector Office - Korampallam,
Palayamkottai Main Road,
Thoothukudi - 628 101.

4.The Joint Registrar (Coop),
Thoothukudi Cooperative Societies,
Thoothukudi Region,
Thoothukudi District.



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5.The Assistant Director,
Department of Agriculture,
Vilathikulam,
Thoothukudi District.

6.The Secretary,
Primary Agricultural Cooperative
Credit Societies,
Pillaiyarnatham Village,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to release the petitioner's scheme insurance (NAIS) amount of Rs.1,52,704/- by considering the petitioner's representation dated 19.02.2015.

For Petitioner : Mr.M.Manivel Pandian

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R2 to R5.
Mr.S.Jeyasigh,
Central Govt. Standing Counsel for R1.
Ms.S.Bharathi for R6.



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ORDER

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Heard the learned counsel on either side.

2.The petitioner 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 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,



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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 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 is therefore permitted to approach the District Level Grievance Redressal Committee through the office of the District Collector / third respondent herein. If within a period of four weeks from the date of receipt of a copy of this order, such a petition is filed before the third respondent, it shall be entertained without reference to



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limitation. The committee shall conduct enquiry and the petitioner's rights will abide by the decision to be taken by the said committee. The committee will also intimate the petitioner about the outcome of the decision. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of application from the writ petitioner.

5.This writ petition is disposed of accordingly. No costs.

12.07.2023

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

1.The Secretary,
Department of Agriculture,
State Government of Tamil Nadu,
Secretariat, Chennai – 600 009.

2.The District Collector,
Thoothukudi District,
Collector Office - Korampallam,
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3.The Joint Registrar (Coop),
Thoothukudi Cooperative Societies,
Thoothukudi Region,
Thoothukudi District.

4.The Assistant Director,
Department of Agriculture,
Vilathikulam,
Thoothukudi District.

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