



W.P.(MD)No.23287 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.23287 of 2023

S.Muthuramalingam

... Petitioner

versus

The District Collector,
Ramanathapuram District,
Ramanathapuram.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent, i.e. the District Collector, Ramanathapuram to consider the petitioner's representation dated 14.06.2023 received on 15.06.2023 and pass appropriate orders, regarding completing the enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act and disbursement of the Crop Insurance amount already withheld by the District Central Co-operative Bank, within a specified time frame that may be fixed by this Court.



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For Petitioner : Mr.S.Visvalingam

For Respondent : Ms.D.Farjana Ghoushia,
Special Government Pleader

ORDER

The petitioner is an agriculturist in A.Punavasal Village, Kadaladi Taluk, Ramanathapuram District. In the year 2012-2013, he cultivated paddy in his land, but, due to lack of rains, it did not yield any income to him. According to him, he remitted a sum of Rs.2022/- under Crop Insurance Scheme (National Agricultural Insurance Scheme) to the Q1193, A.Punavasal Primary Agricultural Co-operative Credit Society on 15.12.2012. Therefore, he approached the Society for disbursement of crop insurance amount, but, he was informed that due to the pendency of enquiry under Section 81 of the Act, the crop insurance amount is withheld by the Ramanthapuram District Central Co-operative Bank. Since the crop insurance amount has not been disbursed so far, the petitioner has also submitted a representation to



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the District Collector, Ramanathapuram, on 14.06.2023 to direct the Secretary of the District Central Co-operative Bank and the Secretary of the Q.1193, A.Punavasal Primary Agricultural Co-operative Credit Society to complete the enquiry and disburse the amount already withheld by the Co-operative Bank. Since there was no response, the present writ petition has been filed.

2. Ms.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for the respondent, on instructions, submits that certain fake records have been created as if the crop insurance amount has been paid and therefore, an enquiry under 81 of the Tamil Nadu Co-operative Societies Act has been contemplated. However, she admits that for 424 eligible persons, the crop insurance amount has been disbursed. She further submits that the District Central Co-operative Bank, Ramanathapuram, is the competent authority to decide this issue, but, the petitioner, without submitting a representation to the District Central Co-operative Bank, has straightly submitted a representation to the District Collector, Ramanathapuram and filed this



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writ petition.

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3. In view of the said submission, this writ petition is disposed of with liberty to the petitioner to submit a fresh representation to the Secretary of the District Central Co-operative Bank, Ramanathapuram, within a period of two weeks from the date of receipt of a copy of this order. In the event of filing any such representation, the Secretary of the District Central Co-operative Bank, Ramanathapuram shall take a call and dispose of the petitioner's representation, within a period of six months from thereon. No costs.

25.09.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

Note: The Registry is directed to mark a copy of this order to the Secretary of the District Central Co-operative Bank, Ramanathapuram



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To
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The District Collector,
Ramanathapuram District,
Ramanathapuram.



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B.PUGALENDHI, J.

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