



WP (MD) No. 23716 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.23716 of 2023

Arumugam

... Petitioner

Vs

1.The Managing Director,
District Central Cooperative Bank Ltd,
Post Box 3,
163, Gandhi Street,Sivagangai 630 561.

2.The President,
N.N. 628 Nattarasankottai Primary
Agricultural Cooperative Credit Socity,
Nattarasankottai 630 556,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to permit the 2nd respondent to transfer the petitioner's insurance amount credited in the 2nd respondent's account to the petitioners account no. 710293421.

For petitioner : Mr.A.V.Arun
For R1 : Mr.D.Shanmugaraja Sethupathy
For R2 :Mr.G.V.Vairam Santhosh
Additional Government Pleader



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ORDER

The petitioner, a farmer has insured his crops with the ICICI Lombard in the year 2016. Thereafter, due to drought, the crops failed. The petitioner claims that the insurance amount has already been awarded and has been forwarded by the first respondent/District Central Co-operative Bank Ltd to the second respondent. However, the second respondent account has been freezed by the first respondent Bank on certain irregularities. In view of the same, the amount, which has already been awarded in favour of this petitioner and also transferred to the second respondent has not been disbursed to this petitioner so far.

2.Mr.D.Shanmugaraja Sethupathy, learned counsel who takes notice for the first respondent submits that they have disbursed the amount to the second respondent after conducting an enquiry with regard to the affairs of the second respondent.



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3. Mr. G. V. Vairam Santhosh, learned Additional Government

Pleader takes notice for the second respondent and requests some time to get written instructions from the second respondent.

4. Considering the limited relief sought for by the petitioner, this writ petition is disposed of with a direction to the petitioner to submit a fresh representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the respondents shall consider the case of the petitioner and if the petitioner has not been provided with the Insurance amount by the Insurance Company for his failure of crops, the same shall be disbursed to this petitioner within a period of twelve weeks from thereon. No costs.

29.09.2023

NCC : Yes/No
Index : Yes/No
Internet: Yes
vrn



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To

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B.PUGALENDHI, J.

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