



W.P(MD)No.28542 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28542 of 2022

T.Sendur

... Petitioner

Vs.

- 1.The Senior Regional Manager,
Agriculture Insurance Company of India Ltd.,
No.323, 1st Floor, Andra Insurance Building,
Thambu Chetty Street,
Parrys Corner, Chennai-1.
- 2.The District Collector,
O/o. The District Collector,
Virudhunagar District.
- 3.The Agriculture Joint Director,
O/o. The Agriculture Assistant Director,
District Collector Campus,
Virudhunagar District.
- 4.The Tahsildar,
O/o. The Tahsildar,
Sattur Taluk,
Virudhunagar District.
- 5.The Secretary,
O/o. The Primary Agriculture Co-operative Credit Society,
Q.844, Nenmeni PACCS,
Sattur Taluk,
Virudhunagar District.



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6. The Village Administrative Officer,
O/o. The Village Administrative Officer,
Nenmeni Village,
Sattur Taluk,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents more particularly the first respondent to credit the crop insurance amount payable to the petitioner for the year 2020-2021 (Rabi-2020) in his bank account forthwith.

For Petitioner : Mr.K.R.Badurus Zaman

For Respondents : Mr.A.Shajahan
Standing Counsel for R1
: Mr.B.Saravanan
Additional Government Pleader for R2 to R6

ORDER

Heard the learned counsel on either side.

2. The petitioner is an agriculturists. He seeks payment of crop insurance land for the year 2020-2021.

3. When the matter was taken up for hearing, the learned Standing Counsel appearing for the Insurance Company submitted that the case of the



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petitioner had already been considered and eligible amount paid and the balance amount rejected on the ground of 'over insurance'. He produced the copy of the communication dated 06.01.2022 issued by the Director of Agriculture, Chennai Chepauk-5. Paragraph Nos.3 & 4 of the said communication read as follows:-

In this regard, the concerned district Joint Directors of Agriculture vide reference 3rd cite were requested to instruct the concerned Block Assistant Directors of Agriculture to verify the genuineness and report the Insurance Unit wife list of farmers who had insured more than the cultivated area. The list of such farmers shall be placed in the DLMC for rejection and sent to this office.

Accordingly, The District Collector, Virudhunagar and Dharmapuri vide reference 4th and 5th cited have furnished the list of farmers to be deleted under over insurance due to various reason such as Crop not cultivated, Excess Area Insured, Repeated area of same survey number, Duplication, Crop Name Mismatch in Maize III and Crop not Cultivated, Excess Area Insured and Crop Name Mismatch under Paddy III, Black gram, Cotton III and Maize III in Virudhunagar and Dharmapuri respectively. (Consolidated details annexed).

4. The specific stand of the first respondent is that the petitioner's case is also covered by the said communication.

5. Since the authorities have already considered the petitioner's case, the Writ Court cannot reappreciate the matter. Liberty is however given to the



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petitioner to approach the jurisdictional District Consumer Commission. If any such petition is filed by the petitioner, the same shall be numbered without reference to limitation and disposed of on merits and in accordance with law.

6. The Writ Petition is disposed of. No costs.

27.02.2023

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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