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W.P.No.18232 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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1.S.Arumugam(died)
2.Kanagambujam
3.Manickavasam
(petitioners 2 & 3 substituted vide order
dated 17.04.2024 made in WMP.No.4180
of 2024 in WP.No.18232 of 2021)

... Petitioners

Vs.

1.The District Collector,
Office of the District Collector,
Nagapattinam
2.The District Revenue Officer,
Office of the District Collector,
Nagapattinam
3.The Joint Director,
Department of Agriculture,
Nagapattinam 611 003
4.Assistant Director,
Department of Agriculture,
Thalaignayiru,
Nagapattinam 611 003

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Mandamus directing the respondents to



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disburse the relief fund of Rs.3,49,800/- (Rupees Three Lakhs Forty nine Thousand and Eight Hundred only) to the credit of the petitioner's bank account as per the letter dated 07.01.2020 vide letter No.U2/7506/2019 issued by the third respondent.

For Petitioner : Mr.G.Pugazhenth

For Respondents : Mr.S.J.Mohamed Sathik,
Government Advocate

ORDER

This writ petition has been filed for direction to the respondents to disburse the relief fund to the tune of Rs.3,49,800/-.

2. While pending the writ petition, the petitioner died and his legal heirs have been substituted in this writ petition. The father of the second petitioner owned agricultural land situated at Naluvadhpathi Village comprised of S.No.237/1A, 1B, 1C, 2B, 2E, 238/5B, 5G, 10B, 7D, 318/22B, 319/11D and 246/1B in patta No.53 admeasuring Hec. 2.09.50 Ares. He planted more than 550 coconut trees and 40 mango trees in the said land. While being so, large scale of devastation was caused by cyclone called gaja in the coastal and delta districts of Tamilnadu. It



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caused loss to the standing crops as well as coconut trees and mango trees. Insofar as the petitioners' land is concerned, 250 coconut trees and mango trees were completely devastated due to gaja cyclone. Government of Tamilnadu announced cyclone relief fund on 19.11.2018 for the farmers concerned. Accordingly, a sum of Rs.600/- would be given per coconut tree and Rs.500/- will be given to cut and remove coconut trees. Therefore, Rs.1,100/- per coconut tree as a measure of relief for the affected land owners to cut and remove the uprooted coconut trees and to plant a new coconut seedlings was ordered. Though the petitioners submitted claim petition to sanction financial assistance for the damages caused to their coconut trees, however no action has been taken and as such, the petitioners also caused legal notice. On receipt of the same, the third respondent by its communication dated 15.07.2019 to the fourth respondent directed to take appropriate action on the grievance of the petitioners. However, no action has been taken and as such, the petitioners filed writ petition before this Court in WP.No.33893 of 2019. This Court by order dated 04.02.2019 directed the fourth respondent to pass appropriate orders on the legal notice issued by the petitioners after giving them opportunity of hearing. In pursuant to the order passed by



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this Court, the third respondent vide its communication dated 07.01.2020 stated that a sum of Rs.3,49,800/- will be credited to the petitioners' account for loss of 318 coconut trees through the Department of Disaster Management after obtaining the relief fund from the Government of Tamilnadu.

3. The learned counsel for the respondents submitted that a proposal has been sent to the Government and it is pending with the Government insofar as sanctioning the relief fund.

4. In view of the above, the respondents are directed to disburse the relief fund of Rs.3,49,800/- to the petitioners for the loss of 318 coconut trees due to gaja cyclone in the year 2018, within a period of eight weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs.



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Neutral Citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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To

- 1.The District Collector,
Office of the District Collector,
Nagapattinam
- 2.The District Revenue Officer,
Office of the District Collector,
Nagapattinam
- 3.The Joint Director,
Department of Agriculture,
Nagapattinam 611 003
- 4.Assistant Director,
Department of Agriculture,
Thalaignayiru,
Nagapattinam 611 003

G.K.ILANTHIRAIYAN, J.

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