



W.P.(MD).No.2168 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.2168 of 2024

T.Duraiarasan

... Petitioner

vs.

1.The District collector,
Ramanathapuram,
Ramanathapuram District.

2.The Joint Director of Agricultural,
Ramanathapuram,
Ramanathapuram District.

3.The Regional Manager,
Agriculture Insurance Company,
1st Floor, Andhra Insurance Building,
P.No.156/N.N.323, Thambuchetti Street,
Paris Corner,
Chennai.

4.The Secretary,
O.N.560, Baranur Primary Agricultural Co-operative Credit
Society,
Uppur,
S.S.Mangalam Taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent



W.P.(MD).No.2168 of 2024

to consider and pay the agricultural drought insurance amount for a period of 2018-2019 based on the petitioner's representation dated 18.04.2022 and 25.01.2024 within the time stipulated by this Court.

For Petitioner : Mr.H.Velavadhas
For R1 & R2 : Mr.A.Kannan,
Additional Government Pleader
For R-3 : Mr.D.Srinivasa Ragavan

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to consider and pay the agricultural drought insurance amount for a period of 2018-2019 based on the petitioner's representation, dated 18.04.2022 and 25.01.2024, within a stipulated period.

2.The case of the petitioner is that the petitioner is a farmer and is cultivating the land measuring to an extent of 4.36.0 hectares as a tenant. The land is situated in R.S.Mangalam Taluk, Solaentthur Pirka, Uppur Goup Village, Naganenthal. The petitioner is also paying crop insurance premium regularly. In the said circumstances, the Government declared Ramanathapuram District as drought affected District and most of the



W.P.(MD).No.2168 of 2024

WEB COPY

farmers in the said District had received the crop insurance amount. However, the petitioner was not paid with the crop insurance amount. Hence, the petitioner approached the respondents requesting to pay the crop insurance amount to him. But, the respondents paid the crop insurance amount for the period 2022-2023 in favour of the petitioner. However, no amount was paid for the period 2018-2019. In this regard, the petitioner has also made a representation on 25.01.2024. However, no steps have been taken. Hence, the petitioner has filed this writ petition with the aforesaid period.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2.

4. The grievance of the petitioner in this writ petition is with respect to non-payment of the sum assured by the respondent Insurance Companies.

5. This Court is of the view that the farmers are benefitted by the



W.P.(MD).No.2168 of 2024

Scheme. The stage of the crop stood at the time of drought, is to be seen at the time of assessment and if no details available, it will be difficult to assess the same. Hence, Insurance Company has to be furnished with details by the Director of Economics and Statistics and others to arrive at a proper quantum of compensation with respect of payment of sum, which has been assured on reaching maturity. Whatever be the issues, ultimately, it is for the District Level Grievance Redressal Committee of those Districts to resolve the same by calling for the particulars from those, who are in possession of the insurance.

6. The petitioner is directed 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.

7. The aforesaid exercise will have to be done within two months



W.P.(MD).No.2168 of 2024

WEB COPY

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, the Insurance Company shall honour the petitioner and make payment as expeditiously as possible preferably within a period of one month thereafter.

8. Accordingly, this writ petition is disposed of. No costs.

02.02.2024

Index:Yes/No
NCC:Yes/No
PM

To

- 1.The District collector,
Ramanathapuram,
Ramanathapuram District.
- 2.The Joint Director of Agricultural,
Ramanathapuram,
Ramanathapuram District.

V.BHAVANI SUBBAROYAN,J.



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W.P.(MD).No.2168 of 2024

PM

W.P.(MD)No.2168 of 2024

02.02.2024