



W.P.(MD) No.5628 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.5628 of 2018

S.Ganendran

... Petitioner

/vs./

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Regional Manager,
Agricultural Insurance Company of India,
III Floor, Andhra Insurance Building,
Thambu Cetty Street,
Chennai 600 001.
- 3.The Regional Manager,
New India Assurance Company Ltd.,
No.770 -a, Deva Tower, III Floor,
Chennai 600 002.
- 4.The Branch Manager,
New India Assurance Company Ltd.,
Main Road,
Pudukkottai.



W.P.(MD) No.5628 of 2018

WEB COPY

5.Joint Director,
Pudukkottai Agriculture Office,
Pudukkottai District,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to grant the Paddy Crops Compensation to the petitioner at the rate of Rs.21,000/- per acre for the season of Rabi period during year 2016.

For Petitioner : Mr.P.Santhoshkumar

For R1 & R5 : Mr.G.Suriyananth
Additional Government Pleader

For R3 & R4 : Mr.C.Karthick
Standing Counsel

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the third respondent to grant paddy crops compensation to the petitioner at the rate of Rs. 21,000/- per acre for the season of Rabi period during 2016.

2.Despite notice on the respondents including the contesting respondent, service of notice and after recording the appearance on behalf of the respondents,



W.P.(MD) No.5628 of 2018

there is no representation on behalf of the second respondent. The learned counsel for the respondents 1 and 3 to 5 are present.

3. According to the petitioner, the petitioner had suffered crop loss during 2016 and therefore was entitled for suitable compensation under Pradhan Mantri Fasal Bima Yojana (PMFBY). It is submitted that the respondents have paid only a sum of Rs.1,800/- per acre for 14.23 acres of land and thus, only a sum of Rs. 27,500/- has been paid.

4. It is submitted that the petitioner has been unfairly discriminated. It is submitted that the petitioner is entitled for compensation of Rs.21,000/- per acre and therefore the total compensation that ought to have been paid to the petitioner was Rs.2,73,216/- (21,000 x 14.23). The petitioner has sent 3 representations dated 06.11.2017, 25.12.2017 and 07.02.2018 to the respondents. Despite the same, they did not evoke any response from the respondents. Hence, the petitioner has filed this writ petition on 15.03.2018 and more than 6½ years have almost gone from the date of filing of the writ petition.



W.P.(MD) No.5628 of 2018

WEB COPY

5.The contesting respondents, namely the respondents 3 and 4 have also been served and the name of the counsel for the respondents 3 and 4 is also printed in the cause list.

6.Under these circumstances, it is assumed that the respondents 3 and 4 have no desire to defend themselves in this writ petition. All the same, this Writ Petition is disposed of by directing the respondents 3 and 4 to consider the petitioner's aforesaid representations and pass suitable orders on merits and in accordance with law within a period of 3 months from the date of receipt of a copy of this order. Incase, the petitioner is entitled for the differential amount, the petitioner shall be paid differential interest as per norms. No costs.

Index : Yes / No

18.07.2024

Internet : Yes / No

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To

1.The District Collector,
Pudukkottai District,
Pudukkottai.

4/6



W.P.(MD) No.5628 of 2018

WEB COPY

2.Joint Director,
Pudukkottai Agriculture Office,
Pudukkottai District,
Pudukkottai.



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W.P.(MD) No.5628 of 2018

C.SARAVANAN, J.

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W.P.(MD) No.5628 of 2018

18.07.2024