



WEB COPY



W.P(MD)No.7567 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.7567 of 2018

Jamal Mohammed

... Petitioner

Vs

1.The District Collector,
Collectorate,
Ramanathapuram District.

2.The Assistant Director of Agriculture,
Agriculture Department,
Collectorate Campus,
Ramanathapuram.

3.The General Manager,
Agricultural Insurance Company Limited,
Alien Insurance Booking Limited,
No.7C, Perumal Kovil Street,
Nergundram, Koimbedu,
Chennai – 107.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide the balance insurance amount of Rs.1,94,893/- under crop insurance cum flood relief scheme to the petitioner.

For Petitioner : Mr.D.Senthil

For RR 1 & 2 : Mr.D.Gandhi Raj
Special Government Pleader

For R – 3 : Mr.M.Saravanan



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4. On perusal of the cause title would show that the Agricultural Insurance Company Limited, Alien Insurance Booking Limited both are different. The Alien Insurance Booking Limited is a broker connecting the agriculturist and the Agricultural Insurance Company Limited. Admittedly, the petitioner insured his crops with the Agricultural Insurance Company Limited through Alegion Insurance Broking Private Limited. The name of the petitioner was considered and he was also paid a sum of Rs.45,580/- as against the claim of Rs.2,40,473/-.

5. Now, the petitioner also failed to produce the Insurance policy in order to consider the claim of the petitioner. That apart, the petitioner added the third respondent both Agricultural Insurance Company Limited, Alien Insurance Booking Limited.

6. Mr. M. Saravanan, learned counsel appearing for the Alegion Insurance Broking Private Limited would submit that the Alegion Insurance Broking Private Limited are only brokers and connecting the agriculturists and the Agricultural Insurance Company Limited. Therefore, any claim from the agriculturists to be made before the Agricultural Insurance Company Limited.



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Therefore, without adding the proper party to this Writ Petition, the prayer sought for in the Writ Petition cannot be granted and the same is liable to be dismissed.

7. Accordingly, the Writ Petition is dismissed. However, the petitioner is at liberty to make a fresh representation before the Insurance Company, to whom the crops were already insured. On receipt of the same, the Agricultural Insurance Company Limited is directed to dispose of the claim of the petitioner, in accordance with law. There shall be no order as to costs.

04.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.7567 of 2018

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