



W.P.(MD).No.14857 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.14857 of 2015

P.Duraisamy

Vs

...Petitioner

1. The Secretary to Government of India,
Ministry of Agriculture,
Government of India,
New Delhi.
2. The Managing Director,
Agricultural Insurance,
Corporation of India Ltd.,
1st Floor, Andhra Insurance Building,
323, Thambuchetty Street,
Paris Corner, Chennai 600 001.
3. The Agriculture Production Commissioner
and Secretary to Govt. of Tamilnadu,
St. George Fort,
Chennai.
4. The Commissioner of Statistics,
Chennai.
5. The District Collector,
Pudukkottai.



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6. The Joint Registrar,
Department of Co-op Societies,
Pudukkottai.
7. The Assistant Director of Statistics,
Pudukkottai.
8. The Revenue Divisional Officer,
Aranthangi.
9. The Joint Director,
Agriculture Department,
Aranthangi.
10. The Manager,
Lead Bank (Indian Overseas Bank),
Pudukkottai.
11. The Tahsildhar,
Aranthangi,
Pudukkottai District.
12. The Secretary,
Mangudi Primary Agriculture,
Mangudi Co.Op Society Ltd.,
Aranthangi Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the second respondent to disburse compensation to the petitioner of Poovatrakudi Firka, Aranthangi Taluk, Pudukkottai for the loss sustained by him during 2013-2014.



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For Petitioner : Mr.P.Ganapathi Subramanian
For R-1 : Mr.B.Murugan
For R-3 : Mr.D.Srinivsa Raghavan
For R-4 to R-9 : Mr.R.Suresh Kumar
and R-11 Additional Government Pleader
For R-12 : Mr.J.Anwar Sameem

ORDER

Heard Mr.P.Ganapathi Subramanian, learned counsel for the petitioner, Mr.B.Murugan, learned counsel for the 1st respondent, Mr.D.Srinivsa Raghavan, learned counsel for the 3rd respondent, Mr.R.Suresh Kumar, learned Additional Government Pleader for the respondents 4 to 9 and 11 and Mr.J.Anwar Sameem, learned counsel for the 12th respondent.

2. This Writ Petition has been filed praying for a Mandamus, directing the second respondent to disburse compensation to the petitioner of Poovatrakudi Firka, Aranthangi Taluk, Pudukkottai for the loss sustained by him during 2013-2014.



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3. It is brought on record that the second respondent had already repudiated the claim of the petitioner and had intimated the same to him by communication dated 19.06.2015.

4. It is the case of the petitioner that the Assistant Director, Agricultural Department, Aranthangi, by communication dated 16.06.2015, had forwarded a recommendation to favourably consider the claim of the petitioner and others of the Firka, and that such a recommendation had also been forwarded to the fifth respondent, the District Collector, Pudukkottai.

5. Since the second respondent had already repudiated the claim, and in light of the law laid down by the Hon'ble Apex Court, the only available remedy for the petitioner is to approach the appropriate Civil Court. However, considering that the Agricultural Department had made a recommendation in favour of the petitioner and other villagers of the Firka, and that such recommendation was placed before the District Collector as early as 16.06.2015, it is directed that the fifth respondent shall consider the claim of the petitioner and other villagers based on the said recommendation.



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6. The fifth respondent is directed to grant compensation under the Disaster Relief Fund to the petitioner and other villagers, after considering their claims. This exercise shall be completed by the fifth respondent within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

18.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

1. The Secretary to Government of India,
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2. The Managing Director,
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6. The Joint Registrar,
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K.KUMARESH BABU, J.

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