



WP(MD). No.25470 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 19/12/2024

CORAM

**THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE
AND
THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI**

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Krishnasamy

... Petitioner

Vs

- 1.The District Collector,
Pudukkottai District.
- 2.The Joint Director of Agriculture,
Pudukkottai District.
3. The Regional Manager (Crop Insurance)
M/s.New India Assurance Co. Ltd.,
Regional Office,
Spencer Tower 3rd Floor,
770 A, Anna Salai,
Chennai.
- 4.The Revenue Divisional Officer,
Aranthangi Post & Taluk,
Pudukkottai District.
- 5.The Assistant Director of Agriculture,
Aavudayarkovil Post & Taluk,
Pudukkottai District.



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6. The Tahsildar,,
Aavudayarkovil Post & Taluk,
Pudukkottai District.

7. Balakrishnamoorthy

8.Kalimuthu

9.Palanisamy

10.Muniyandi

11.Muthuraman

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents 1 to 6 to investigate the irregularities in the implementation of the Crop Insurance Scheme for the year 2017-2018 at Kannakur Village, Aavudayarkovil Taluk, Pudukkottai District.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.P.Thilak Kumar – for R1, R2, R4 to R6

Government Pleader

Mr.G.Prabhu Rajadurai – for R3



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ORDER

(Order of the Court was made by the Hon'ble the Chief Justice)

The prayer in the petition as quoted above is limited to investigating the irregularities in the implementation of the Crop Insurance Scheme for the year 2017-2018.

2. It is alleged in paragraph No.3 of the petition which reads as under :

“3. I further submit that Kannakur Village is having total agricultural land of 159.99.5 hectares (Nanjai 117.75 0 hectres and Punjai 42.24.5 Hectares) But total extent of land insured under the crop insurance scheme provided by the 6th respondent comes around 268.99.5 hectares. In our village 3 major Eri (Porasakudi Eri, Kannkur Periya Eri and Chinna Eri) maintained by the Public Works Department. It spreads over 80 hectares apart from the poramboke land of 123 hectares. Apart from this in our village Kalyanaswami Kovil, Meemisal is having the temple land of 52 acre. We came to understand that the unscrupulous elements in order to swindle the insurance amount projected a false claim by



including the poramboke land, temple land, Eri etc., Apart from this, the 10th respondent without any land submitted the application and the respondents 7,9 to 11 and others submitted false documents through online as if they possessed larger extend of land and also paid the premium through online and the 6th respondent without verification of all these documents accepted the premium and used to disburse the claim without verifying the genuineness of the claim submitted by the agriculturists.”

3. In short, what is alleged is the Insurance Scheme covers more land than what actually is in the village that could be insured and therefore, certain unscrupulous elements in order to misappropriate the Insurance amounts have lodged false claim relying on forged documents.

4. Counsel for petitioner states that this public money is being stolen and therefore, Respondents 1 to 6 are to conduct an unbiased investigation.

5. Counsel for petitioner states that the petitioner will also



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participate in the investigation process and the enquiry and he is justified in suggesting that respondent No.1, the District Collector should involve the Police also in investigating the matter.

6. Counsel for respondent No.3 made a shocking submission that petitioner should be directed to approach the District Consumer Redressal forum.

7. The petitioner has not approached this Court due to rejection of his claim.

8. For reasons recorded above, in our view, the matter requires to be examined and certainly if the concerned authorities find, there was false claim made, they shall certainly take steps to recover those amounts and if the allegations of the petitioner are found to be baseless, the authorities may claim such amount as deemed fit as compensation from petitioner.

9. Since the copy of the petition has already been served on the authorities through the Government Pleader's office, this petition and



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the compilation filed shall be treated as a representation to respondent No.1, the District Collector who shall promptly initiate investigation and issue necessary directions. Respondent No.1 is also directed to hold a preliminary meeting with petitioner, the Superintendent of Police as well as respondent No.2 to 6 on or before 10.01.2025.

10. Writ Petition is disposed of. The investigation shall be completed and a report shall be filed by the District Collector and copy of the report be provided to petitioner on or before 30th April 2025. The report shall be filed in the Registry to be placed along with the records and proceedings of this petition, though petition is disposed. There shall be no order as to costs.

(K.R.SHRIRAM, C.J.)

(L.VICTORIA GOWRI, J.)

19.12.2024

NCC : Yes/No
Index : Yes/No
RM



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**ORDER
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