IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32392 of 2023
And
W.M.P.Nos.32027 and 32029 of 2023

Tamizhaga Anaithu Vivasayigal
Orunginaippu Sangam
Mayiladuthurai District
Reg.No.139/2021
Represented by the District Secretary
V.Viswanathan
Sirkazhi Taluk
Mayiladuthurai District ... Petitioner

Vs.

1.The Government of Tamil Nadu
Represented by Secretary
Revenue and Disaster Management Department
Disaster Management Wing (DM-II Section)
Fort St.George
Chennai – 600 009.

2.The District Collector
Mayiladuthurai District
Mayiladuthurai. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records in Letter No.9581/DM -2/2023-3 dated 03.10.2023 on the file of the first respondent and quash the same and direct the first respondent to pass appropriate orders following the report of the second respondent District Collector of Mayiladuthurai District dated 29.11.2022 declaring the Mayiladuthurai District more particularly Sirkazhi and Tharangambadi Taluks as one affected by Natural Calamity and Disaster due to Heavy Rainfall following the North East Monsoon during 01.11.2022 to 12.11.2022 and to waive the Agricultural loans availed by the Farmers and Agriculturalists of Mayiladuthurai District from Co-Operative Banks, Societies and Banks.

For Petitioner : Mr.S.Sadasharam
For Respondents : Mrs.S.Anitha
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records in Letter No.9581/DM -2/2023-3 dated 03.10.2023 on the file of the first respondent and quash the same and direct the first respondent to pass appropriate orders following the report of the second respondent dated 29.11.2022 declaring the Mayiladuthurai District more particularly Sirkazhi and Tharangambadi Taluks as one affected by natural calamity and disaster due to heavy rainfall following the North East Monsoon during 01.11.2022 to 12.11.2022 and to waive the agricultural loans availed by the farmers and agriculturalists of

Mayiladuthurai District from Co-Operative Banks, Societies and Banks.

2.The learned counsel appearing for the petitioner submitted that the petitioner Sangam was formed to protect the welfare of the agriculturists in Mayiladuthurai District. The learned counsel further submitted that the North East Monsoon commenced in the State of Tamil Nadu on 29.10.2022 and there was heavy rainfall in Mayiladuthurai District and due to heavy rainfall during 01.11.2022 to 12.11.2022, there was flood and water stagnation and heavy damages caused to paddy corps and cultivation in various parts of Mayiladuthurai District was totally destroyed and damaged and the agriculturists were put to suffer not only monetary loss but also mental strain and pain. The second respondent sent report to the first respondent on 29.11.2022 requesting the first respondent to declare Mayiladuthurai District as one suffered by natural calamity and disaster, however, the first respondent issued the impugned letter refusing to declare Mayiladuthurai District as flood affected area on the ground that relief assistance was announced by the Government and compensation was also provided through crop insurance.

3.The learned counsel appearing for the petitioner further submitted that if the first respondent declare the Mayiladuthurai District as one suffered by natural calamity and disaster, then the petitioner would be entitled to claim compensation for crops and animals and waiver of interest for the bank loan availed by the agriculturists, however, the first respondent refused to declare the Mayiladuthurai District as one suffered by natural calamity and disaster.

4.The learned Special Government Pleader appearing for the respondents submitted that adequate compensation has been provided to the affected farmers in Mayiladuthurai District through relief assistance announced by Government and compensation provided through crop insurance and hence the necessity to declare Mayiladuthurai District as disaster affected does not arise.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.The petitioner Sangam made efforts for declaring the Mayiladuthurai District more particularly Sirkazhi and Tharangambadi Taluks as one affected by natural calamity and disaster due to heavy rainfall following the North East Monsoon during 01.11.2022 to 12.11.2022. It is equally undisputed fact that the second respondent sent report to the first respondent on 29.11.2022 requesting the first respondent to declare Mayiladuthurai District as one suffered by natural calamity and disaster, however, it is not incumbent on the part of the first respondent to accept the report forwarded by the second respondent. It is the absolute discretion of the first respondent to decide whether the particular District is affected by natural calamity and disaster.

7.In the counter affidavit filed by the second respondent, in paragraph nos.4.g. and 4.h., it has been stated as follows:

> *'g.It is further submitted that the farmers in Sirkali and Tharangambadi Taluks were able to achieve a good yield through re-cultivation and sold their paddy through direct procurement centres and to the private traders. As per the report of the second respondent, 1.95 lakh metric tons of paddy were procured through direct procurement centres. In addition, a sum of Rs.1000/- per family was sanctioned from State Disaster Relief Fund as Gratuitous relief to 1,61,647 families whose livelihood were affected due to*

the heavy rains in Mayiladuthurai District. Since the farmers affected due to rains have been provided adequate compensation through relief assistance announced by the Government and the compensations has also been provided through crop inusrance, declaring Mayiladuthurai District as disaster affected district does not arise.

h.It is also submitted that the Additional Chief Secretary/Commissioner of Revenue Administration and State Relief Commissioner has further informed that, a sum of Rs.43,92,01,750.50/- has been sanctioned as relief assistance to G.O.(Ms)No.624, Revenue and Disaster Management (DM-II) Department dated 30.12.2022. Further, Rs.115 crore have been provided as crop loans to the farmers in Mayiladuthurai District through Co-operative Societies and Rs.42.98 crore through Nationalized Banks. In as much as adequate compensation has been provided to the affected farmers in Mayiladuthurai District through relief assistance announced by Government and compensation provided through crop insurance, declaring Mayiladuthurai District as disaster affected does not arise.'

8.In the present case, adequate compensation has been provided to the affected farmers in Mayiladuthurai District through relief assistance announced by Government and compensation provided through crop insurance. Insofar as waiver of bank loan availed by the agriculturists are concerned, it is policy taken by the Central Government and not by the State Government. The State Government can only announce compensation for the loss sustained by the farmers. The first respondent has justified their action in not declaring the Mayiladuthurai District as one suffered by natural calamity and disaster. Hence, this Court is not inclined to grant the relief sought for in this writ petition.

9.This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

30.10.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

M.DHANDAPANI,J.
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To

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Disaster Management Wing (DM-II Section)
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