

W.P(MD)No.6902 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.6902 of 2023

and

W.M.P(MD)No.6463 of 2023

1.Muniyan
2.Sakthivel

... Petitioners

Vs

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk,
Chennai – 05.

2.The District Collector,
Pudukkottai.

3.The Regional Joint Director,
Veterinary Department,
Pudukkottai.

4.The Tahsildar,
Kulathur Taluk,
Pudukkottai.

5.The Branch Manager,
Indian Overseas Bank,
Keeranur Branch,
Pudukkottai.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to take into consideration of the documents and records submitted by the petitioners and disburse the compensation amount as early as possible.

For Petitioners : Mr.P.Ganapathi Subramanian

For RR 1 to 4 : Mr.M.Senthil Ayyanar
Government Advocate

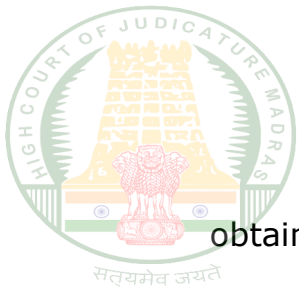
For R – 5 : Mr.N.Dilip Kumar

ORDER

This Writ Petition has been filed by the petitioners seeking for a direction directing the respondent to pay compensation for the damage to his poultry farm due to Gaja cyclone.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioners owned a poultry farm with 10,000 fowls situated at Kongathirayanpatti Village, Kulathur Taluk, Pudukkottai District. In order to establish the said poultry, they



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obtained a loan to the tune of Rs.10,00,000/- from the fifth respondent and constructed a shed admeasuring 10,560 square feet. While being so, on 16.11.2018 there was a cyclone in the name of Gaja, due to which, the entire poultry farm was affected severely and the sheds were damaged. The entire 10,000 fowl died due to the collapse of shed. Therefore, the petitioners submitted a representation to the respondents 2 to 4 seeking compensation.

4.On instructions, Mr.M.Senthil Ayyanar, the learned Government Advocate appearing for the respondents 1 to 4 would submit that the petitioners were running a poultry farm for commercial purposes. Though it is coming under the agricultural activity, now the petitioners are claiming compensation to the tune of Rs.32,00,000/-. If any damage to the crops, the petitioners are entitled for compensation at Rs.10,000/- per acre.

5.Admittedly, the petitioners were running poultry farm that too without insuring the shed and fowl. Therefore, this Court cannot compel the Government to pay compensation for the damage caused to the poultry farm due to Gaja cyclone. Therefore, this Writ Petition is devoid of merits and the same is liable to be



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dismissed. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**06.01.2025
(1/2)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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WEB COPY

To

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G.K.ILANTHIRAIYAN, J.

ps

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W.P(MD)No.6902 of 2023

**06.01.2025
(1/2)**