



Rev.Aplc(MD).No.54 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 13.11.2025

PRONOUNCED ON : 17.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Rev.Aplc(MD).No.54 of 2020
in
W.A(MD).No.114 of 2014
and CMP(MD).No.5597 of 2020

The Special Officer
Ramanathapuram District Central Co-operative Bank
Ramanathapuram

....Petitioner/Appellant

Vs

- 1.Uthayanan
- 2.P.Vadivel
- 3.V.Sasivarnam
- 4.R.Murugesan
- 5.C.Gandhi
- 6.S.Shanmugavel Thevar
- 7.R.Panjavarnam
- 8.S.Thirukkammal
- 9.S.Kamithakani
- 10.N.Aathilingam
- 11.Pitchai Kani



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12.K.Sathaiah

13.N.Soorappan

14.Vellaiammal

15.P.Kanthasamy

16.C.Muthuramalingam

17.K.Pitchaikani

18.K.Markkandan

19.M.Valivittan

20.Khaderpathu

21.Chinnasamy

22.C.Mahendran

23.P.Murugaiah

24.M.Rengan

25.Umar Khader

26.M.Mari

27.K.Kathirvel

28.N.Tharmalingam

29.K.Raj

30.Raman

31.V.Nalluchamy

32.S.Sulthan

33.V.Seenivasan

34.The State of Tamil Nadu

Rep.by its Secretary to Government

Department of Cooperation

St.George Fort, Chennai

35.The Joint Registrar of Cooperative Societies

Ramanathapuram Region

Ramanathapuram



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36.The Special Officer
136, Aanaiyur Primary Agricultural Cooperative Society
Aanaiyur, Maruthanganallur
Ramanathapuram District

.....Respondents/Respondents

Prayer: Review Application filed under Order 47 Rule 1 and 2 r/w Section 114 of CPC to review the order passed in WA(MD).No.114 of 2014 dated 12.08.2020 and allow the writ appeal.

For Appellant : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.V.Karthikeyan
For M/s.Ajmal Associates for R1

: No appearance for R2, R4, R5, R7 to R15,
R17 to R19 R21 to R25, R27 to R33

: R3, R6, R16, R20, R26 – died

: Mr.T.Amjadkhan
Government Advocate for R34 to R36

J U D G M E N T

(Made by **R.VIJAYAKUMAR,J.**)

The present review petition has been filed by the appellant in W.A(MD).No.114 of 2014 seeking to review the order passed by a Co-ordinate Bench of this Court on 12.08.2020.

(A).Factual Background:



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The respondents 1 to 33 in the review application have preferred W.P(MD).No.5185 of 2010 seeking a mandamus to direct the respondents therein to consider their representation of disbursement of Crop Insurance amount within a time stipulated by the Court.

3.The writ Court had passed final orders on 04.01.2023 with a direction to the District Collector, Ramanathapuram to conduct a detail enquiry in respect of loss sustained by the petitioners during the relevant period due to loss of crop and quantify the compensation within a period of three months. The writ Court had further directed the appellant/Central Co-operative Bank and the Special Officer of Aanaiyur Primary Agricultural Co-operative Society jointly and severally disburse the said amount to each of the writ petitioners.

4.The order of the writ Court was put to challenge by the Special Officer of the District Central Co-operative Bank in WA(MD).No.114 of 2014. The writ appeal was dismissed by a Co-ordinate Bench of this Court by an order dated 12.08.2020 wherein the Bench has held that the appellant having failed to perform its public duty and they are liable for disbursement of the Crop Insurance Policy. This order is sought to be reviewed in the present application.

(B).Submissions of both counsels:

5.According to the review applicant, the Central Co-operative Bank is

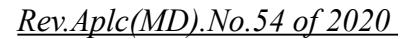


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only a nodal agency and therefore, they cannot be held liable for non disbursement of the Crop Insurance Policy amount. It is further contended that the Society had not forwarded the documents in time so as to submit the same before the Agricultural Insurance Corporation. The delay on the part of the Society cannot be attributed to the Central Co-operative Bank. He had further submitted that either National Agricultural Insurance Company of India Limited or the State Government may be directed to pay compensation to the farmers. The learned counsel for the review applicant had further submitted that the Central Co-operative Bank is a nodal agency was not brought to the notice of the Co-ordinate Bench. Hence, he prayed for allowing the review petition.

6.Per contra, the learned counsel appearing for the Society submitted that they have remitted the premium amount to the Central Co-operative Bank in time. There was a delay on the part of the Bank in remitting the premium amount to the Agricultural Insurance Company of India. Due to delay on the part of the Central Co-operative Bank, the Insurance Company had returned the premium amount. Therefore, only due to the default on the part of the Central Co-operative Bank, the farmers were left in lurch and they were not able to realise the benefits of the payment of premium amount even though they have sustained loss.

7.The learned counsel for the writ petitioner/farmer submitted that



8. We have considered the submissions made on either side and perused the material records.

9.A perusal of the records indicate that the premium for the Crop Insurance Police was paid into the account of the Central Co-operative Bank on 07.12.2007. However, the said amount was remitted to the Agricultural Insurance Company of India only on 05.11.2008. By way of proceedings dated 19.11.2008, the Agricultural Insurance Company had returned the said demand draft on the ground that the remittance has been made beyond the cut off date. This order has not been challenged by the Central Co-operative Bank. A Co-ordinate Bench of this Court while disposing of the writ appeal had arrived at a specific finding, then only due to the negligence on the part of the Central Co-operative Bank, the poor farmers have been left in lurch. The Bench has also recorded a finding that the Bank had failed to perform their public duty and they cannot direct the Government to compensate the farmer.

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counter in the writ petition. Paragraph No.8 of the counter which is relevant for disposal of this review application is extracted as follows:

“8.Here, in this case, after receiving the proposal from Aanaiyur Primary Agricultural Co-operative Bank, the concerned Field Manager has failed to forward the proposals in time to the Branch Manager. Hence, there was some delay in sending the premium amount along with proposal Forms to the Agriculture Insurance Company of India Ltd. Subsequently, the Regional Manager of the Agriculture Insurance Company, vide his letter dated 19.11.2008, has rejected the insurance claim for PADDY II-2007 season and returned the Declaration Form and Demand Draft on the ground of delay in sending the premium. It is pertinent to mention at this juncture that disciplinary proceeding is being initiated against the concerned Field Manager Mr.Ramraj.”

11.This counter affidavit would make it clear that there was a lapse on the part of the Bank and disciplinary proceedings have been initiated as against one of their officials. In such circumstances, we do not find any merit to consider the review application. There are no merits in the review application and the same stands dismissed. No costs.

(C.V.K.J.,)

(R.V.J.,)

17.11.2025.



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NCC : Yes/No
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St.George Fort, Chennai

2.The Joint Registrar of Cooperative Societies
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