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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.2556 of 2024
in
WP(MD) No.3417 of 2019

1. V.Paneer Selvam
2. S.Ramasamy
3. K.Kandasamy
4. T.Ramanathan
5. K.Kesavan
6. K.Selvarani
7. S.Jeyaraman
8. M.Rasappa
9. B.Navaneethan
10. M.P.Sembaiah
11. S.Indirani
12. V.Samimuthu
13. S.Marimuthu
14. S.Subramanian
15. K.Lawan
16. C.Prabakaran
17. T.Kandeeban
18. S.Marimuthu
19. M.Kanchana ...Petitioners

Vs

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M.Murugesan,
The Regional Manager,
New India Assurance Company Ltd.,
770-A, Anna Salai, Chennai-2. ...Contemnor

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to punish the Contemnor/2nd Respondent for his deliberate and willful disobedience of the order of this Court, made in WP(MD).3417 of 2019 dated 11.06.2024.

For Petitioner :Mr.G.Mathavan
For Respondent :Mr.G.Prabhu Rajadurai

O R D E R

The petitioners have approached this Court that the order of this Court in WP(MD).3417 of 2019 dated 11.06.2024 has not been complied with by the respondent.

2.The petitioners, who are the agriculturists have approached this Court by way of a writ petition in WP(MD) No. 3417 of 2019 that their crop insurance claim has been rejected by the Regional Manager, New India Assurance Company. This Court, by

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its order, dated 11.06.2024 has allowed the said writ petition as under:-

> *"The respondent insurance company received the premium amount along with proposal on 30.12.2016, which is evident from the respondent bank's statement, filed in the typed set of papers. The respondent insurance company having accepted the proposals and the premium amount of the petitioners on 30.12.2016, has taken a stand on 14.09.2018 that the premium amount was not debited within the cut off date. This stand of the insurance company cannot be accepted. If they are taking such a stand, at the first instance itself, they should have either rejected the proposal of the petitioners or should have repaid the premium amount stating that it was debited beyond the cut off date. One hand they have accepted the proposal on the other hand they are rejecting the claim. Both cannot be done simultaneously. The District Collector has also recommended for settlement of the compensation to the petitioners. Therefore the stand of the insurance company in refusing compensation to the petitioners is not justified, when they have accepted their proposals. Moreover the 2nd respondent has not placed any material to show that neither they had rejected the proposal nor had repaid the debited premium amount. Therefore this writ petition is allowed and the impugned order is set aside. The 2nd respondent is directed to forthwith disburse the eligible compensation to the petitioners"*

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3.Now the petitioners have filed this Contempt Petition that the above order of this Court has not been complied with by the respondent.

4.The learned counsel appearing for the respondent/contemnor submits that out of 19 claimants, they have settled the insurance amount to 18 claimants. The insurance amount has not been settled to one claimant for want of his Bank Account particulars. The learned counsel further submits the insurance amount will be settled to the left out claimant within a period of one week.

5.Considering the submissions made on behalf of the contemnor/ respondent that the substantiate portion of the insurance amount has been settled to the claimants and the remaining portion will also be settled within a period of one week, this contempt petition is closed with a direction to the respondent to ensure that the

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left out claimant is also settled, within a period of one week as agreed.

07.03.2025

Index:Yes/No
Internet:Yes/No
vrn

To

The Regional Manager,
New India Assurance Company Ltd.,
770-A, Anna Salai, Chennai-2.

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B.PUGALENDHI, J.

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Order made in
CONT.P.(MD)No.2556 of 2024
in
WP(MD) No.3417 of 2019

07.03.2025

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