



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.07.2011

CORAM:

THE HONOURABLE MR.JUSTICE P.JYOTHIMANI
AND
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.(MD).No.8302 of 2011 and
M.P.(MD)No.2 of 2011

1.Poor's Help Line, Registered Society,
Registration No.23/2008,
5/42, Middle Street, Valinokkam (Post),
Ramanathapuram District,
represented through its Secretary,
S.V.Basheer Ahamed

2.S.V.Basheer Ahamed

: Petitioners

Vs.

1..Government of India,
represented by its Secretary,
Ministry of Rural Development,
New Delhi

2.Director, Department of Rural Development,
Room No.250, NREGA Division,
Krishibhavan, New Delhi-110 114.

3.Director, Rural Development,
St. Fort Geroge, Chennai.

4.District Collector, Ramanathapuram District,
Ramanathapuram.

5.Project Director, Ramanathapuram Collectorate,
Ramanathapuram District.

6.Block Development Officer,
Kadaladi Taluk, Ramanathapuram District.

7.The President, Valinokkam Panchayat,
Kadaladi Taluk, Ramanathapuram District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the official respondents to enquire into the matter with regard to the misappropriation of funds and malpractice practised by the seventh respondent in dealing and disbursing the funds of Government of India earmarked and allotted under the National Rural Employment Guarantee Scheme and submit a report before this Court within the time frame



and for other consequential reliefs including initiations the criminal proceedings against the persons involved in the misappropriation and malpractice.

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For Petitioners : Mr.V.Raghavachari

For Respondents 1 & 2 : Mr.K.K.Senthilvelan
Assistant Solicitor General of India

For Respondents 3 to 7 : Mr.K.Mahendran
Special Government Pleader

O R D E R

[Order of the Court was made BY **P.JYOTHIMANI, J**]

Mr.K.K.Senthilvelan, learned Assistant Solicitor General of India, takes notice on behalf of respondents 1 and 2 and Mr.K.Mahendran, learned Special Government Pleader, takes notice on behalf of respondents 3 to 7. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioners, who are running certain society for helping the people in the area, have raised certain objections regarding the conduct of the seventh respondent, President of Valinokkam Panchayat, Kadaladi Taluk, Ramanathapuram District and in that regard, they have made various representations to the District Collector, being the Inspector under the Tamil Nadu Panchayats Act, 1994. A reference to the latest representation dated 06.06.2011 made to the fourth respondent, the District Collector, shows that the allegations made against the seventh respondent were serious and there has been an allegation of misappropriation also.

3. In such view of the matter, we are of the considered view that the fourth respondent, who is the authority under the Tamil Nadu Panchayats Act, 1994, must be directed to consider the said representation of the petitioners dated 06.06.2011.

4. Accordingly, the Writ Petition stands disposed of with a direction against the District Collector, the fourth respondent herein to consider the representation of the petitioners dated 06.06.2011 and pass appropriate orders, of course, after giving notice to the petitioners as well as to the seventh respondent. Such order shall be passed by the fourth respondent, within a period of eight weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/



To

- 1.The Secretary,
Government of India,
Ministry of Rural Development,
New Delhi.
- 2.The Director, Department of Rural Development,
Room No.250, NREGA Division,
Krishibhavan, New Delhi-110 114.
- 3.The Director, Rural Development,
St. Fort George, Chennai.
- 4.The District Collector, Ramanathapuram District,
Ramanathapuram.
- 5.The Project Director, Ramanathapuram Collectorate,
Ramanathapuram District.
- 6.The Block Development Officer,
Kadaladi Taluk, Ramanathapuram District.
- 7.The President, Valinokkam Panchayat,
Kadaladi Taluk, Ramanathapuram District.
- +1 CC to Mr.V.Raghavachari, Advocate (SR.No.25499)
- +1 CC to Mr.K.K.Senthilvelan, Advocate (SR.No.25530)
- +1 CC to Special Government Pleader (SR.No.25376)

Order made in
W.P.(MD).No.8302 of 2011
Dated:- 29.07.2011

SML
NSV/8.8.11/3P/11C