

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 24285 of 2011

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ORDER :

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This writ petition is filed seeking writ of mandamus for inaction of the respondents 1 & 2 in not considering the petitioners' representation dated 10.06.2011 and not taking any action against the 3rd respondent in misappropriation of funds under the Act and not maintaining transparency and accountability in performing the work and not conducting social audit as per Section 17 of the Act as illegal and arbitrary and consequently to direct the respondents 1 & 2 to take action against the 3rd respondent for misappropriation of funds; to follow the provisions under Sections 14, 16, 17 and 23 of the Act and to maintain transparency and accountability in performing the works under National Rural Employment Guarantee Act, 2005 in Thumkunta Village, Iija Mandal, Mahabubnagar District.

2. Counter affidavit is filed by the 4th respondent denying the averments in the affidavit filed in support of the writ petition stating that the Government had started agriculture works under National Rural Employment Guarantee Act, 2005. In Tumkunta Village, Aiza Mandal also, certain works were authorized to carryout the leveling of burial grounds, i.e., cutting of unwanted trees, leveling of land under the said scheme. The 3rd respondent is to mobilize the labour and supervise the labour over the works which will be carried out by the workers. So far as the allegations against the 3rd respondent are concerned, the Project Director, DWMA issued Memo No.D12/165/SA/2011, dated 16.10.2011 appointing Assistant Project Director, DWMA, Gadwal to enquire into the matter. Accordingly, the Assistant Project Director, DWMA, Mahabubnagar had conducted a detailed enquiry and submitted his report to the Project Director, DWMA vide letter dated 05.01.2012 and that the Project Director, DWMA, Mahabubnagar is yet to take decision on the enquiry report.

3. Heard both sides.

4. In view of the categorical averments in the counter affidavit of the 4th respondent that decision is to be taken by the Project Director, DWMA, Mahabubnagar on the enquiry report submitted by the Assistant Project Director, DWMA, against the 3rd respondent, as such, the grievance of the petitioners is redressed. It is for the competent authority-Project Director, DWMA, Mahabubnagar to take final decision on the enquiry report submitted by the Assistant Project Director, against the 3rd respondent.

Accordingly, this writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous applications, if any pending in this Writ Petition, shall stand dismissed.

_____ **A.RAJASHEKER REDDY, J**

14.10.2015.

KVS

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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