



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.19891 of 2014
and
M.P.(MD)Nos.1 to 3 of 2014

S.Naganathan : Petitioner
Vs.

- 1.The State of Tamil Nadu,
rep. by the Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai-600 009.
- 2.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The Block Development Officer,
Thiruvadanai Panchayat Union,
Thiruvadanai,
Ramanathapuram District.
- 4.The Deputy Block Development Officer,
Thiruvadanai Panchayat Union,
Thiruvadanai,
Ramanathapuram District.
- 5.Mr.S.Muthu,
President,
Kallur Panchayat,
Thiruvadanai,
Ramanathapuram District.
- 6.Mr.S.Parameswaran,
Vice President,
Kallur Panchayat,
Ramanathapuram District.



7. The Additional Superintendent of Police,
Vigilance and Anti-Corruption,
Ramanathapuram-623 501. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent in connection with the impugned order passed by him in Na.Ka.No.R2/3322/2013, dated 03.09.2014, and quash the same as he failed to conduct proper enquiry in regard to misappropriation and consequently, direct the seventh respondent to initiate appropriate investigation and file his report before the concerned Jurisdictional Magistrate as well as forward the same to the first respondent to take appropriate departmental action against the respondents 3 to 6 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu
For Respondents 1,2&7: Mr.M.Govindan,
Special Government Pleader
For Respondents 3to6 : Mr.S.Chellapandian

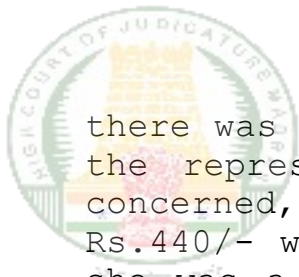
O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

The petitioner has come up with this litigation under the guise of a Public Interest Litigation, challenging the order of the District Collector, Ramanathapuram, made in Na.Ka.No.R2/3322/2013, dated 03.09.2014.

2. We have heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1,2 and 7 and the learned counsel appearing for the respondents 3 to 6. We have also perused the records carefully.

3. A perusal of the records would go to show that earlier, a Writ Petition was filed before this Court alleging that under the National Rural Employment Scheme, there were certain irregularities committed by the President of the Village. That Writ Petition was dismissed by this Court on 10.07.2013 for want of details. Again, the petitioner filed yet another Writ Petition before this Court, in which, he asked for a direction to the District Collector to consider his representation dated 29.09.2012. In that Writ Petition, a positive order was issued by this Court, directing the District Collector to hold enquiry into the allegations. According to the representation, under the said Scheme, in the name of 111 persons, who are no more, records have been created as though they were employed and they were paid wages during the financial years 2011-2012 and 2012-2013. The District Collector held enquiry into the said allegations on 18.08.2014. After thorough enquiry, the District Collector has found that



there was no money taken in the name of 111 persons, as alleged in the representation. So far as one person, by name Vettachi is concerned, she was given employment for some time and a sum of Rs.440/- was paid to her for 4 days. But, since it was found that she was a Government servant, she was not allowed to continue to work.

4. From the report of the District Collector, it is crystal clear that no money was taken in the name of 111 persons, as alleged by the petitioner. We do not find any reason to doubt the correctness of the findings of the District Collector. It appears that due to some private interest, the petitioner is repeatedly knocking the doors of this Court on one score or the other. It appears to be a private interest litigation and not a Public Interest Litigation. Thus, we do not find any merit at all in this Writ Petition.

5. For all the reasons stated above, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Secretary to Government,
The State of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Additional Superintendent of Police,
Vigilance and Anti-Corruption,
Ramanathapuram-623 501.

+One cc to Mr.S.Chellapandian, Advocate, SR.No.55355
+One cc to The Special Government Pleader, SR.No.56129
SML
RL/6C/3P/AAL/MPA/6.10.2016