



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.03.2018

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Rev.Applc(MD).No.4 of 2016 in
W.P.(MD).No.14441 of 2014

1. The District Collector,
Sivangangai District,
Sivagangai.
2. The Project Officer,
District Rural Development,
Collectrorate,
Sivagangai District,
Sivagangai.

... Petitioners/Respondents 1&3

Vs.

1. The Block Development Officer,
Thiruppuvanam Panchayat Union,
Thiruppuvanam,
Sivagangai District.
2. K.Murugan,
Ex.Councilor,
Thiruppuvanam Panchayat,
S/o.Kumaraiya,
Achenkulam,
Palaiyanoor Post,
Manamadurai Taluk,
Sivagangai District.
3. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Sivagangai.

... Respondents/Respondents 4

... Respondent/Petitioner

... Respondent/Respondent No.2

PRAYER: The Review Application filed under Order 47 Rule 1 and 2 r/w Section 114 of C.P.C., against the order of this Court dated 02.09.2014 passed in W.P.(MD).No.14441 of 2014.

Prayer in WP(MD)No.14441/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 3rd and 4th to issue the cost of the Rice to the petitioner in the light of the letter sent by 4th respondent to the 3rd respondent in Na.Ka.No. A2/7090/2006 dated



05.06.2014 within a time frame as fixed by this Honourable Court.

For Petitioners : Mr.D.Muruganantham
Addl. Government Pleader
For Respondent-2 : Mr.C.Prakasam

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ORDER

Heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the petitioners and Mr.C.Prakasam, learned counsel appearing for the respondents.

2.This review petition has been filed to review the order and direction of this Court dated 02.09.2014 passed in W.P.(MD).No.14441 of 2014. The said writ petition was filed by the second respondent/writ petitioner, who was the Ex.Councilor of Thiruppuvanam Pachayat and he sought for a direction upon the petitioners herein to pay the cost of the rice, in the light of the communication sent by the Block Development Officer, Thiruppuvanam Panchayat Union, dated 05.06.2014. The amounts claimed by the writ petitioner was not for himself, but, it is for the person, who have done work within the limits of the panchayat Union and the work was extracted under the scheme called Sampoorna Grameen Rozgar Yojana (hereinafter referred to as 'SGRY') scheme where the persons employed, who are from the same village are paid in rice instead of money. The writ Court took into consideration the communication sent by the fourth respondent, dated 05.06.2014 and held that the claim made by the writ petitioner cannot be disputed and therefore directed the Project Officer, District Rural Development to disburse the rice, after taking into consideration the communication of the 4th respondent dated 05.06.2014. The petitioners, who are the respondents 1 and 3 in the writ petition, have filed this review application only on the ground that no works were entrusted to the writ petitioner under SGRY scheme for the year 2006-2007.

3.The learned Additional Government Pleader submitted that even in respect of works, which are allotted and rice had to be distributed. On account of insufficient quantity of rice to an extent of 3614 mt., the same could not be disbursed as the Government of India have not released the rice. In the mean time, the Government of India has withdrawn the said scheme. The correctness of the contention raised in the review petition was examined by the writ Court. The petitioner has produced coupons, which contain printed serial numbers and the coupons show the names of the person, who were employed and other personal details and quantity of rice to be allotted, the number of days worked, the quantity of rice to be disbursed and the monetary value of such quantity of rice. The officer, who is present in the Court, was shown the copies of the coupon and a comparison was made with the available files and it is prima facie seen that there is sufficient records to show that the coupons are genuine coupons and the stand



taken in review petitioner that no work was allotted to the writ petitioner is incorrect, because the writ petitioner has approached this Court in the capacity of Ex panchayat councilor.

4. On perusal of the coupons, it is seen that those coupons did not relate to a single beneficiary, but a group of beneficiary and the number of beneficiary has been mentioned, though the names have not been given. Thus, the petitioners have to make proper verification and disburse the rice or in the alternative money equivalent for the said quantity of rice.

5. For the above said reasons, there is no error in the order passed in the writ petition. Hence, the review application is dismissed. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Block Development Officer,
Thiruppuvanam Panchayat Union,
Thiruppuvanam,
Sivagangai District.
2. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Sivagangai.
3. The District Collector,
Sivagangai District,
Sivagangai.
4. The Project Officer,
District Rural Development,
Collectorate,
Sivagangai District,
Sivagangai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 57637

NS

TE/KKR/SAR-1 : 04/04/2018 : 3P/6C

Rev.Aplc(MD).No.4 of 2016 in
W.P.(MD).No.14441 of 2014
22.03.2018