



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) Nos.12118 of 2011

K.Savithri

.. Petitioner

Vs.

1. The Revenue Divisional Officer,
Dindigul District, Dindigul.
2. The Tahsildar,
Nilakottai Taluk, Dindigul District.
3. The Village Administration Officer,
Nakkaluthu Village, at Nilakottai,
Dindigul District.
4. Mr.Parisithu,V.A.O

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to complete the enquiry and take appropriate action in the matter of swindling of funds by the fourth respondent in the name of fake persons and denying the compensation to the really affected farmers in the final report in the light of his information given in Na.Ka.No.8007/2010/A6, dated 04.11.2010, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For R-1 to R-3 : Mr.S.Kumar

Additional Government Pleader

O R D E R

This Writ petition has been filed seeking a direction to the first respondent to complete the enquiry and take appropriate action in the matter of swindling of funds by the fourth respondent in the name of fake persons and denying the compensation to the really affected farmers in the final report in the light of his information given in Na.Ka.No.8007/2010/A6, dated 04.11.2010, within the period stipulated by this Court.

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2. The Writ petitioner had made a representation to the first



respondent/Revenue Divisional Officer, regarding swindling of funds by the third respondent/Village Administrative Officer. According to the petitioner, during the year 2002, there was severe drought and therefore the Government had announced drought relief scheme to the affected agriculturists. According to which, compensation was given to the affected poor farmers on the basis of loss suffered by them.

3. It is the grievance of the petitioner that the third respondent had submitted false accounts and swindled the money. She had given details of the affected agriculturists and requested the first respondent to take action and for which, the first respondent in his proceedings in Na.Ka.No.A6/4920/2009, dated 22.01.2010, had called for an enquiry and requested the petitioner to participate in the enquiry. Accordingly, the petitioner had participated in the enquiry and given her evidence and there was nothing coming forward. Therefore, she had made an application on 09.10.2010, under Right to Information Act, 2005, for information about the progress of enquiry in the action taken against the third respondent. To which, the first respondent had given a reply in Na.Ka.No.8007/2010/A6, dated 04.11.2010 that an enquiry was still pending and it was not completed and information would be given. Therefore, the first respondent had expressed his inability to furnish the information under Right to Information Act. Against which, the Writ petitioner has filed the present Writ petition seeking a direction to the first respondent to complete the enquiry as per the information given in his proceedings in Na.Ka.No.8007/2010/A6, dated 04.11.2010.

4. The first respondent had filed a counter affidavit stating that the complaint given by the petitioner was false and there was no truth in it. The petitioner had come forward with a representation, after a long gap of seven years. On the complaint of the petitioner, an enquiry was conducted by the District Revenue Officer, on 30.04.2010 and the report was forwarded to the Special Commissioner and Commissioner for Revenue and Administration, Chennai. The first respondent/District Revenue Officer had held that there was no truth in the complaint.

5. From the documents produced before this Court, it is seen that the first respondent in his letter, dated 04.11.2010 had stated that the enquiry was still pending whereas, contrary to the same, the very same first respondent had filed his counter affidavit stating that the District Revenue Officer had held that the enquiry had arrived at a finding that there was no truth in the complaint. The information given under Right to Information Act and counter affidavit are contradictory. However, without going into the merits of the case, the first respondent/Revenue Divisional Officer, Dindigul District, is directed to complete the enquiry as per the information given in his proceedings in Na.Ka.No.8007/2010/A6, dated 04.11.2010, and communicate the result to the petitioner within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the Writ



petitioner.

6. The Writ petition is disposed of with the above observations. No costs.

Sd/-

Assistant Registrar (CSII)

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/True Copy/

Sub Assistant Registrar

pmu

To

1. The Revenue Divisional Officer,
Dindigul District, Dindigul.
2. The Tahsildar,
Nilakottai Taluk, Dindigul District.
3. The Village Administration Officer,
Nakkaluthu Village, at Nilakottai,
Dindigul District.

+1cc to Spl.Government Pleader Sr.No. 73217

JAM/15.12.16/KM/ 3p-5c

ORDER MADE IN

W.P. (MD) Nos.12118 of 2011

25.11.2016