

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No. 39155 OF 2012

ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“... Hon'ble Court may be pleased to issue an appropriate writ or order or direction under Article 226 of the Constitution of India, particularly one in the nature of Writ of Mandamus, declaring inaction on the part of the first respondent on petitioners representation dated 03.12.2012 in respect of misappropriation of funds under NREG Act, 2005 in respect of implementation of the NREGS in Adavirajupalem Village, Gudluru Mandal, Prakasham District, as unjust, arbitrary and illegal and direct the first respondent to conduct an enquiry against the third respondent after giving notice to the petitioners.”

Petitioners are the residents of Adavirajupalem, Gudluru Mandal, Prakasham District. The first petitioner is the former Sarpanch of the Gram Panchayat and the second petitioner is his brother. Alleging certain irregularities in the works pertaining to National Rural Employment Guarantee Scheme, the petitioners made a representation to the District Collector on 03.12.2012. Questioning the inaction on the part of the District Collector in taking action on the said representation, the present writ petition came to be filed.

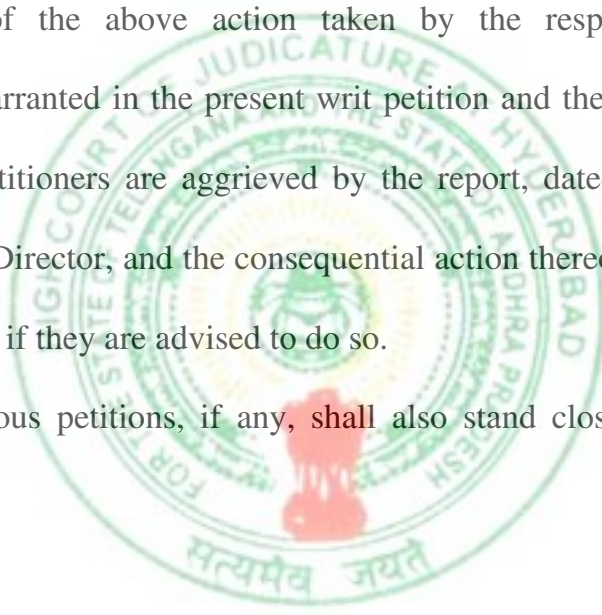
This Court, on 20.12.2012, issued notice to the respondents. Responding to the said notice, counter affidavit deposited by the 2nd respondent is filed stating inter alia that the representation, dated 03.12.2012, of the petitioners was got enquired into by the Assistant Project Director, Gudluru, thoroughly and he found no irregularities, as apprehended by the petitioners. It is further stated that the enquiry officer reported that the job cards were issued to the Scheduled caste and Schedule tribe families of the village irrespective of their applications for job cards so as to see that there would not be any hindrance and that the Assistant Project Director also collected the statements of the family members stating that they attended the work and took the wages and the enquiry report was submitted to the

District Collector vide proceedings Rc.No.D3/949/EGS/2012, dated 01.05.2013. Counter denies the allegation that no action is taken on the representation, dated 03.12.2012. In fact, a copy of the report, dated 18.04.2013, of the Assistant Project Director is placed on record along with the counter affidavit as material paper.

Learned counsel for the petitioners submits that the respondents did not communicate the report of the Assistant Project Director, dated 18.04.2013, to the petitioners. The respondents are therefore directed to communicate a copy of the report, dated 18.04.2013, of the Assistant Project Director to the petitioners.

In view of the above action taken by the respondents, no further adjudication is warranted in the present writ petition and the same is accordingly closed. If the petitioners are aggrieved by the report, dated 18.04.2013, of the Assistant Project Director, and the consequential action thereon, they are at liberty to assail the same, if they are advised to do so.

Miscellaneous petitions, if any, shall also stand closed. No order as to costs.



A.V. SESA SAI, J

Date: 01.12.2016
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