



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD) No.21956 of 2015**

K.Kuppathal

... Petitioner

-vs-

1. The Secretary to Government,
Rural Development and Panchayat Raj,
St.George Fort, Chennai-600 008.

2. The Director,
Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai-15.

3. The District Collector,
Dindigul District,
Dindigul.

4. Tmt.Eswari

5. Tmt.Vellathal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the respondents 4 & 5 for misappropriation of Government funds while implementing Mahatma Gandhi National Rural Employment Guarantee Scheme at Ambilikai Panchayat Oddanchatram Dindigul District by considering the representation dated 24.11.2015 of the petitioner.

For Petitioner : Mr.S.Siva Thilakar

For R1 to R3 : Mr.S.Kumar
Addl. Govt. Pleader

For R4 : Mr.K.Mahesh Raja

O R D E R

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to take action against the respondents 4 & 5 for misappropriation of Government funds, while implementing Mahatma Gandhi National Rural Employment Guarantee Scheme at



Ambilikai Panchayat, Oddanchatram, Dindigul District by considering the representation dated 24.11.2015 of the petitioner.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel for R4.

3. The case of the petitioner is as follows:

i) The petitioner joined the employment scheme introduced by the Central Government in the name of Mahatma Gandhi National Rural Employment Guarantee Scheme, at Ambilikai Panchayat, Oddanchatram Taluk and as per the said scheme, the Panchayat President as well as the Vice President is responsible for implementation of the scheme by allocating work to the employees and disbursement of salary to them;

ii) According to the petitioner, the respondents 4 & 5 started swindling the amount allotted under the said scheme by way of false entries in the NMR and the 4th respondent, who is bound to maintain payment records failed to do so, which made the petitioner to send several representations to the respondents, the last one of which was dated 24.11.2015 and the respondents 1 to 3, having received the same, had not acted upon effectively and therefore, the petitioner is before this Court with the above prayer.

4. It is no doubt true that the scheme was introduced by the Central Government with a noble cause and the defalcation of the fund of the scheme cannot be taken slightly. Therefore, this writ petition is disposed of with a direction to the third respondent / District Collector, who is stated to be the Competent Authority to take action in this matter, to consider the representation of the petitioner dated 24.11.2015 and after affording an opportunity of hearing to the petitioner as well as the respondents 4 & 5, pass necessary orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (Crl.Side)

/True copy/

Sub Assistant Registrar

To:

1. The Secretary to Government,
Rural Development and Panchayat Raj,
St.George Fort, Chennai-600 008.



2. The Director,
Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai-15.

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3. The District Collector,
Dindigul District,
Dindigul.

+1 CC to M/s.S.SIVATHILAKAR, Advocate, SR No. 65764

AR/RM

PSM/MR-KKR/SAR2/26.07.2017/3P/5C

W.P (MD) No.21956 of 2015
17.07.2017