



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2017

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THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE N.AUTHINATHAN

W.P(MD) No.5118 of 2017

Subbiah

... Petitioner

-vs-

- 1.The Government of India,
rep.by its Secretary,
Ministry of Rural Department,
New Delhi.
- 2.The Director,
Department of Rural Development,
Room No.250, NREGA Division,
Krishibhavan, New Delhi.
- 3.The Principal Secretary,
O/o.Dept. of Panchayat Raj and Municipalities,
Secretariat, Chennai.
- 4.The Director,
O/o.Dept. of Panchayat Raj and Municipalities,
Panagal Buildings,
Saidapet, Chennai.
- 5.The District Collector,
O/o.The District Collector Office,
Thoothukudi District.
- 6.The Block Development Officer (Panchayat)
Block Development Officer,
Kayathar Block,
Thoothukudi District.
- 7.The Panchayat President,
Theethampatty Panchayat,
Kayathar Union,
Thoothukudi District.
- 8.Thangathai

... Respondents

<https://hcservices.ecourts.gov.in/hcservices/>

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 5th



respondent to take action against the 6th and 8th respondents and consequently direct the 5th and 6th respondents to allow the petitioner and other members to work under the NREGA scheme immediately based on the petitioner's representation dated 06.03.2017.

WEB COPY

For Petitioner : Mr.R.Ganesh Prabhu
For RR - 1 & 2 : Mr.S.Srimathy
For RR - 3 to 5 : Mr.M.Govindan
Special Government Pleader
For R - 6 : Mr.V.Pandi
Government Advocate

O R D E R

[Order of the Court was made by A.SELVAM, J.]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the fifth respondent to take appropriate action against the respondents 6 and 8 in the matter of allotting work under NREGA scheme, by way of issuing a Writ of Mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that the respondents 6 and 8 have not allowed the petitioner and his people to work under the scheme mentioned in the petition and therefore a representation has been given on 06.03.2017. But no action has been taken.

3.The learned counsel appearing for the sixth respondent has contended to the effect that under the scheme mentioned in the petition, even the petitioner has been allowed to work and the present petition has been unnecessarily filed and therefore, the same deserves to be dismissed.

4.Considering the factual aspects mentioned in the petition and also considering the fact that under the scheme mentioned in the petition, the petitioner and others are entitled to work, this Court is inclined to pass the following order.

"In fine, the sixth respondent is directed to allow the petitioner and other villagers to work under the scheme mentioned in the petition."

5.With the above observation, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (AD-II)



To

1. The Secretary,
The Government of India,
Ministry of Rural Department,
New Delhi.

2. The Director,
Department of Rural Development,
Room No.250, NREGA Division,
Krishibhavan, New Delhi.

3. The Principal Secretary,
O/o. Dept. of Panchayat Raj and Municipalities,
Secretariat, Chennai.

4. The Director,
O/o. Dept. of Panchayat Raj and Municipalities,
Panagal Buildings,
Saidapet, Chennai.

5. The District Collector,
O/o. The District Collector Office,
Thoothukudi District.

6. The Block Development Officer (Panchayat)
Block Development Officer,
Kayathar Block,
Thoothukudi District.

+1CC to M/S.S.Srimathy, Advocate, SR.No.51365

+1CC to M/S.R.Ganesh Prabu, Advocate, SR.No. 51871

+1CC to the Special Government Pleader SR.No. 52029

W.P(MD) No.5118 of 2017

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AM/SKN RSK/SAR 3/19.04.2017/3P/10C