



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.(MD)No.1806 of 2011
and
M.P.(MD)No.1 of 2011

T.Sekar

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Project Director,
District Rural Development Agency,
Theni, Theni District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records related to the order passed by the first respondent in the proceedings No.Na.Ka.5219/2010/D3 dated 29.01.2011 and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.A.Thirumurthy

For R1 : Mr.N.S.Karthikeyan,
Additional Government Pleader.

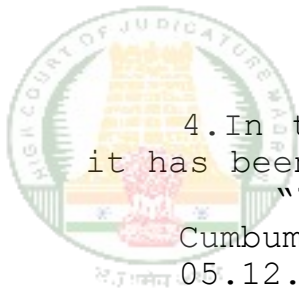
For R2 : No Appearance

O R D E R

This Writ Petition has been filed for issuance of Writ of Certiorari, to call for the records related to the order passed by the first respondent in the proceedings No.Na.Ka.5219/2010/D3, dated 29.01.2011 and quash the same in so far as the petitioner is concerned.

2.Heard Mr.A.Thirumurthy, learned counsel appearing for the petitioner and Mr.N.S.Karthikeyan, learned Additional Government Pleader, appearing on behalf of the first respondent.

3.The petitioner challenges the order dated 29.01.2011 passed by the first respondent in which recoveries have been ordered against the petitioner.



4. In the counter affidavit on behalf of the first respondent, it has been stated at paragraphs 7,8,9 reads as follows:-

"7. However, the Block Development Officer (V.P) Cumbum has stated, in his letter 242/2011/D4, Dated: 05.12.2013, a sum of Rs.1,00,600/- has been recovered from the cancelled beneficiaries (bogus patta holders) and a sum of Rs.7200/- has been granted as subsidy to the beneficiaries who have been, once again verified, and admitted by the block Development Officer(V.P).

8. The petitioner ought to have informed this Hon'ble Court about the refund of the amount by the bogus beneficiaries.

9. It is submitted that the financial loss made by the Writ Petition was recovered from the individual beneficiaries concerned, the recovery need not be insisted upon the Writ petitioner."

5. In view of the aforesaid statement made in the counter filed by the first respondent, nothing survives for further adjudication in the Writ Petition. Accordingly, this Writ Petition is disposed of recording the statement of the first respondent that it is not intended to recover any amount from the petitioner, pursuant to the impugned order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar.

To

1 The District Collector,
Theni District, Theni.

2 The Project Director,
District Rural Development Agency,
Theni, Theni District.

+1CC to Mr.A.Thirumurthy, Advocate, SR.No. 86797

W.P. (MD) No.1806 of 2011
13.11.2017

Myr

KK/MR KKR/SAR 3/24.11.2017/2P/4C