

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2018

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. NO. 2312 of 2008

and

M.P.Nos. 1 & 2 of 2008

Mashar Neervadi Mugadu Sangam,
Mashar Village, Kalaraipadi post,
Chengam Taluk, Tiruvannamalai District,
represented by its president V.Ramajayam ...Petitioner
.Vs.

1. A. Selvi W/o Arunachalam
President, Mashar Village
panchayat, Mashar Village,
Kalaraipadi post, Chengam taluk,
Tiruvannamalai District.
2. The Assistant Agriculture Director,
Chengam Taluk, Tiruvannamalai District.
3. The District Collector,
Collectorate, Tiruvannamalai District.
4. The Secretary,
Ministry of Agriculture, New Delhi. ...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the first and second respondents, their men, agents, servants or any one acting under them from in any manner interfering with the administration, control and management of the petitioner society including the disbursement of the grant by the Central Government to the petitioner society through the 2nd respondent under the "Navapra" scheme and pass orders.

For Petitioner : Mr. T.T.Ravichandran

For Respondent -1 : Mr.P.R.Balasubramanian

For Respondent -3 : Mr. R.Veludas

For Respondent -2 to 4 : Mr.Thangavadana Balu
(Additional Government Pleader)

ORDER

This writ petition is filed to grant an order of ad-interim injunction and to issue a writ of mandamus restraining the first and second respondents herein, their men, servants, agents or any one claiming under them from any manner interfering with day to day administration, control and management of the petitioner's society, pending disposal of the present writ petition and to grant an interim direction to the second respondent to forthwith release all funds received by it under the "Navapra" scheme from the central Government to the petitioner's society.

2.The petitioner is the duly elected President of the society namely "Mashar Neervadi Mugadu Sangam", Chengam Taluk, Tiruvannamalai District, which is registered under the Tamil Nadu Societies Registration Act 1975 before the Registrar of Societies, Thiruvannamalai District bearing Registration No. S.No.248 of 2003. The aforesaid society was started to provide assistance to unemployed young graduates and also to promote and develop general welfare to the village people.

3. The central Government through the fourth respondent grants aid in the form called "Varsa Janasabaghita fund" and "Napra fund" and the said funds are routed through the third respondent. The second respondent disburses the amount after taking into account of the yearly requirement of the said village and there were some disputes arose between the villagers and the first respondent, who is a Village Panchayat President. The books of accounts of the society is being audited by the Registrar of Societies once in a year.

4.The Panchayat President started interfering with the administration of the society. The petitioner sent a representation to the second respondent on 31.12.2007 stating that the first respondent has no right or whatsoever to interfere with the affairs of the society. The petitioner's society has to receive a sum of Rs.2,68,400/- from the second respondent, but the same has not received due to the pressure exerted by the first respondent to the second respondent.

5.The third respondent who is the immediate superior of the second respondent also informed that the first and second respondent are interfering with the management of the petitioner's society which is arbitrary, illegal and violative of Article 14 of the Constitution of India. Hence they approached this Court seeking a prayer of Ad-Interim Injunction and the respondents have not filed any counter till date.

6. There is no elected President now functioning as the election for the local panchayat has not been held after the period was over.

7. The learned counsel for the petitioner would contend that the matter has become infructuous as the Central Government had stopped its aid to the local bodies. In view of the submissions made by the learned counsel for the petitioner, this writ petition has become infructuous. Accordingly the writ petition is disposed of and the connected miscellaneous petition is closed.

smn

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To.

1. The Assistant Agriculture Director,
Chengam Taluk, Tiruvannamalai District.
2. The District Collector,
Collectorate, Tiruvannamalai District.
3. The Secretary,
Ministry of Agriculture, New Delhi.

+1cc to M/s.R.Veludas, Central Government Advocate SR.No.34606
+1cc to M/s.P.R.Balasubramanian, Advocate SR.no.34968

NRI (Co)
sm:21.6.2018

सत्यमेव जयते

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