



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P(MD)No.4237 of 2019
and
W.M.P. (MD)No.3358 of 2019

A.Dineshbabu

... Petitioner

Vs.

1. State of Tamil Nadu,
represented by the Chief Secretary,
St.George Fort, Chennai.

2. The Additional Chief Secretary to Government,
Rural Development and Panchayatraj Department,
Government of Tamil Nadu,
St.George Fort, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents consider the representation of petitioner dated 21.02.2019 and consequently, stop the disbursement of Rs.2,000/- to beneficiaries under the "Special Finance Help" scheme announced in Government Order, dated 13.02.2019, bearing G.O.No.20 by the second respondent till the upcoming Parliamentary Election and identification of proper beneficiaries.

For Petitioner :Mr.K.Arulmuruganandham

For Respondents:Mr.K.Chellapandian

Additional Advocate General
assisted by Mr.A.Muthu Karuppan
Additional Government Pleader

ORDER

(Order of the Court was made by N.KIRUBAKARAN, J.)

The prayer sought for in this writ petition is to issue Writ of Mandamus to direct the respondents to consider the representation of petitioner, dated 21.02.2019, and consequently, stop the disbursement of Rs.2,000/- to beneficiaries under the "Special Finance Help" scheme announced in Government Order, dated 13.02.2019, bearing G.O.No.20 by the second respondent till the upcoming Parliamentary Election and identification of proper beneficiaries.



2. Heard the learned Counsel for the petitioner and the learned Additional Advocate General appearing for the State.

3. It is submitted by the learned Additional Advocate General that the allegations in *toto* have been repeated in this writ petition, as that of writ petition filed in W.P.No.4464 of 2019, which was dismissed by the Principal Seat on 15.02.2019. In both the writ petitions, the allegation is that the number of beneficiaries are gathered and there is no proper identification of beneficiaries. The scheme was introduced with a *mala fide* intention without identifying the proper beneficiaries.

4. The learned Additional Advocate General would submit that about 40,70,881 beneficiaries were identified from rural areas and about 11,62,235 beneficiaries were already identified in urban areas. Moreover, the scheme has already been commenced and the beneficiaries are already started receiving the money pursuant to the function held this morning (ie., 04.03.2019) from the Honourable Chief Minister.

5. A perusal of records, especially, the order dated 15.02.2019 passed in W.P.No.4464 of 2019 would reveal all points, which are stated in the affidavit now filed before this Court and this has already been answered by the Honourable First Bench. We are bound by the order of the Honourable First Bench of this Court. Therefore, there is no question of re-agitating the matter before this Court. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
Government of Tamil Nadu,
St.George Fort, Chennai.
2. The Additional Chief Secretary to Government,
Rural Development and Panchayatraj Department,
Government of Tamil Nadu,
St.George Fort, Chennai.

+1 CC to M/s.SPL GP (SR-51985[F] dated 06/03/2019)

CMR

TE : 22/03/2019 : 2P/4C

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W.P (MD) No.4237 of 2019
04.03.2019