



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) Nos.11377,12082,12098,12099,12101,12102,
12104,12107,12109 & 12113 of 2020 and

WMP(MD) Nos.9950,9951,10393,10394,10402,10403,10405,
10406,10407,10408,10411,10412,10414,10415,10418,10419,10422,
10423,10426 & 10427 of 2020

Andanallur Panchayat Union,Rep.By its Chairman,S.Durairaj,
Andanallur Panchayat Union Office,
Andanallur Trichy District

... Petitioner in WP(MD). No. 11377/ 2020

Manikandam Panchayat Union, Rep. by its Chairman, K.Kamalam,
Manikandam Panchayat Union Office,
Manikandam, Trichy District.

... Petitioner in WP(MD). No. 12082/ 2020

Thathaiyangarpettai Panchayat Union, Rep. by its Chairman, Mrs.
P.Sharmila Prabakaran,
Thathaiyangarpettai Panchayat Union Office,
Thathaiyangarpettai, Trichy District.

... Petitioner in WP(MD). No. 12098/ 2020

Uppiliyapuram Panchayat Union, Rep. by its Chairman, M.Hemalatha,
Uppiliyapuram Panchayat Union Office,
Uppiliyapuram, Trichy District.

... Petitioner in WP(MD). No. 12099/ 2020

Thuraiyur Panchayat Union, Rep. by its Chairman,
Mrs. Saranya Mohandas,
Thuraiyur Panchayat Union Office,
Thuraiyur, Trichy District.

... Petitioner in WP(MD). No. 12101/ 2020

Pullambadi Panchayat Union, Rep. by its Chairman, Mrs.Rashiya,
Pullambadi Panchayat Union Office,
Pullambadi, Trichy District.

... Petitioner in WP(MD). No. 12102/ 2020

Musiri Panchayat Union, Rep. by its Chairman, Mrs. R.Mala,
Musiri Panchayat Union Office, Musiri,
Trichy District.

... Petitioner in WP(MD). No. 12104/ 2020

Manchanallur Panchayat Union, Rep. by its Chairman, Mr.R.Sridhar,
Manchanallur Panchayat Union Office,
Manchanallur, Trichy District.

... Petitioner in WP(MD). No. 12107/ 2020



Lalgudi Panchayat Union, Rep. by its Chairman, T.Ravichandran,
Lalgudi Panchayat Union Office,
Lalgudi, Trichy District.

... Petitioner in WP(MD). No. 12109/ 2020

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Thottiyam Panchayat Union, Rep. by its Chairman, Mrs. Punitha Rani,
Thottiyam Panchayat Union Office, Thottiyam,
Trichy District.

... Petitioner in WP(MD). No. 12113/ 2020

vs

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

2. The District Collector/Chairman DRDA,
Trichirappalli District Trichirappalli

3. The Project Director (DRDA),
Trichirappalli District, Trichirappalli

4. The Assistant Director (Panchayat),
Trichirappalli District.

.. Respondents 1 to 4 (in all Cases)

5. The Block Development Officer, Andanallur Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 11377/ 2020

5. The Block Development Officer, Manikandam Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12082/2020

5. The Block Development Officer,
Thathaiyangarpettai Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12098/2020

5. The Block Development Officer, Uppiliyapuram Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12099/2020

5. The Block Development Officer, Thuraiyur Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12101/2020



5. The Block Development Officer, Pullambadi Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12102/2020
5. The Block Development Officer, Musiri Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12104/2020
5. The Block Development Officer, Manchanallur Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12107/2020
5. The Block Development Officer, Lalgudi Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12109/2020
5. The Block Development Officer, Thottiyam Panchayat Union,
Trichy District. ... 5th Respondent in
WP(MD). No. 12113/2020

Prayer in WP(MD). No. 11377/ 2020 :

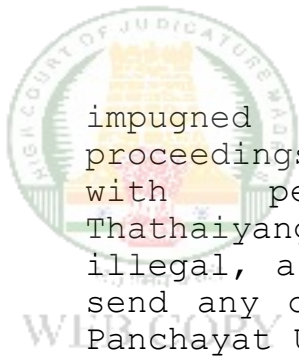
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate writ order or direction in the nature of writ to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka.E1/3260/2020 Dated 20.08.2020 and quash the same as illegal arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchyat Union

Prayer in WP(MD). No. 12082/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Manikandam Panchayat Union, Manikandam, Trichy District (S.No.2) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union.

Prayer in WP(MD). No. 12098/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the



impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Thathaiyangarpettai Panchayat Union, Thathaiyangarpettai, Trichy District (S.No.12) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

Prayer in WP(MD). No. 12099/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Uppiliyapuram Panchayat Union, Uppiliyapuram, Trichy District (S.No.14) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

Prayer in WP(MD). No. 12101/ 2020 :

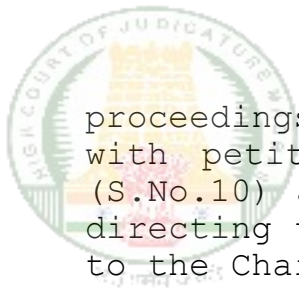
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Thuraiyur Panchayat Union, Thuraiyur, Trichy District (S.No.13) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

Prayer in WP(MD). No. 12102/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Pullambadi Panchayat Union, Pullambadi, Trichy District (S.No.09) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

Prayer in WP(MD). No. 12104/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his



proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Musiri Panchayat Union, Musiri, Trichy District (S.No.10) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

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Prayer in WP(MD). No. 12107/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Manchanallur Panchayat Union, Manchanallur, Trichy District (S.No.08) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

Prayer in WP(MD). No. 12109/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Lalgudi Panchayat Union, Lalgudi, Trichy District (S.No.7) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

Prayer in WP(MD). No. 12113/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent herein in his proceedings in Na.Ka. E1/3260/2020 Dated 20.08.2020 in connection with petitioners Thottiyam Panchayat Union, Thottiyam, Trichy District (S.No.11) and quash the same as illegal, arbitrary and consequently directing the 2nd respondent to send any official communication only to the Chairman of concerned Panchayat Union

For Petitioner .. Mr.T.Senthil Kumar

For Respondents .. Mr.M.Sricharan Rangarajan
Additional Advocate General
Assisted by
Mr. S.Angappan, Government Advocate



C O M M O N O R D E R

Heard the learned counsel for the writ petitioners and Mr.M.Sricharan Rangarajan, learned Additional Advocate General, assisted by Mr.S.Angappan, learned Government Advocate appearing for the respondents.

2. The Chairpersons of the various Panchayat Unions of Trichy District are before this Court challenging the impugned communication issued by the District Collector, Tiruchirappalli, in his capacity as Chairperson of District Rural Development Agency (DRDA). The impugned communication mandates the Block Development Officers to adjust the expenditure to be incurred for Tamil Nadu Rural Roads Improvement Scheme (TNRRIIS) from out of the Panchayat Unions share in the State Finance Commission Population Grant in the year 2020-2021.

3.The learned Additional Advocate General clarified on instructions that Tamil Nadu Rural Roads Improvement Scheme (TNRRIIS) will be funded by independent allocation and it has nothing to do with the State Finance Commission Population Grant for the year 2020-2021. The impugned communication is not in consonance with the stand now taken before this Court. Therefore, on this ground, the impugned communication stands quashed. These Writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Director,
Rural Development & Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai - 15.

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



2.The District Collector/Chairman DRDA,
Trichirappalli District,
Trichirappalli.

3.The Project Director (DRDA),
Trichirappalli District,
Trichirappalli.

4.The Assistant Director (Panchayat),
Trichirappalli District.

5.The Block Development Officer,
Andanallur Panchayat Union,
Trichy District.

6. The Block Development Officer,
Manikandam Panchayat Union,
Trichy District

7. The Block Development Officer,
Thathaiyangarpettai Panchayat Union
Trichy District

8. The Block Development Officer,
Uppiliyapuram Panchayat Union
Trichy District

9. The Block Development Officer,
Thuraiyur Panchayat Union
Trichy District

10.The Block Development Officer,
Pullambadi Panchayat Union
Trichy District

11.The Block Development Officer,
Musiri Panchayat Union
Trichy District

12.The Block Development Officer,
Manchanallur Panchayat Union
Trichy District

13.The Block Development Officer,
Lalgudi Panchayat Union
Trichy District



14.The Block Development Officer,
Thottiyam Panchayat Union,
Trichy District

+1 CCS to SGP (SR-18505, 18500[F] dated 30/09/2020)

Common order made in
W.P (MD) Nos.11377,12082,12098,12099,12101,12102,
12104,12107,12109 & 12113 of 2020 and
WMP(MD) Nos.9950,9951,10393,10394,10402,10403,10405,
10406,10407,10408,10411,10412,10414,10415,10418,10419,10422,
10423,10426 & 10427 of 2020

29.09.2020

SRK(CO)

NR (14.10.2020) 8P 16C