



WEB COPY

W.P.(MD)No.6808 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.6808 of 2017

and

WMP (MD) No.5369 & 5370 of 2017

Dhanuskodi

:Petitioner

Vs.

1.The High Power Committee,
Under Mahatma Gandhi National
Rural Employment Scheme,
Rep through its Chairman/The District Collector,
Madurai District,
Madurai.

2.The Additional Collector /
Project Director,
District Rural Development Agency,
Collectorate Campus,
Madurai - 20.

3.The Block Development Officer,
(Village Panchayat),
Thirumangalam Panchayat Union,
Thirumangalam,
Madurai District.

:Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in his proceedings Na.Ka.No.1410/2016/A4 dated 29.07.2016 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the respondents to drop all further proceedings initiated against the petitioner on the basis of the order passed by the 1st respondent dated 29.07.2016.

For Petitioner : Mr.R.Aravindan

For Respondents : Mr.M.Rajarajan

Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned order dated 29.07.2016 passed by the first respondent. The matter pertains to



the issuance of job cards for beneficiaries under Mahatma Gandhi National Rural Employment Scheme. According to the respondents, the petitioner had issued job cards infavour of ineligible persons. The petitioner's contention is to the contrary. Be that as it may, when the proceedings have been initiated based on the report of the Audit Committee, the Audit Committee report was not made available to the petitioner. No show cause notice was issued to the petitioner. The petitioner was deprived of opportunity to explain.

3.Hence, I am inclined to quash the impugned proceedings and allow the writ petition. The matter is remitted back to the file of the first respondent to pass orders afresh in accordance with law and the principles of natural justice. Accordingly, the Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vrn

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:

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Rep through its Chairman/The District Collector,
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3.The Block Development Officer,
(Village Panchayat),
Thirumangalam Panchayat Union,
Thirumangalam,
Madurai District.

+1 CC to SPL GP (SR-15535[F] dated 01/09/2020)

W.P.(MD)No.6808 of 2017 and
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28.08.2020

VB (24.09.2020) 3P 5C