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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.2071 and 2133 of 2020

And

W.M.P.Nos.2413 and 2489 of 2020

R.Sugumaran

... Petitioner in both the W.Ps.

Vs.

1. The Secretary,
Government of India,
Ministry of Statistics and Programme Implementation
Sardar Patel Bhavan,
Parliament Street,
New Delhi -110 001.
2. The Secretary to Government,
Government of Puducherry,
Chief Secretariat,
Goubert Avenue,
Puducherry - 605 001.
3. The Director
Directorate of Economics and Statistics,
Puducherry Administration,
No.505, Kamaraj Salai,
New Saram,
Puducherry - 605 013.
4. The Project Director
District Rural Development Agency,
II Floor PHB Building,
Anna Nagar, Nellithope
Puducherry - 605 005.
5. The Director,
Directorate of Art and Culture,
No.1 Romain Rolland Street,
Puducherry - 605 001.
6. The Registrar of Companies
No.7, 2nd Floor, Karuvadikuppam Main Road
Muthialpet, Puducherry - 605 003.



7. Pudhuvai Tamizh Sangam
Represented by its President,
No.2, Tamizh Sangam Veedhi,
45 feet Vallalar Road,
Venkatanagar,
Puducherry - 605 001.

... Respondents in W.P.No.2071/2020

1. The Secretary to Government,
Government of Puducherry,
Chief Secretariat,
Goubert Avenue,
Puducherry - 605 001.
2. The Director,
Directorate of Art and Culture,
No.1 Romain Rolland Street,
Puducherry - 605 001.
3. The Registrar of Companies
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Muthialpet, Puducherry - 605 003.
4. Pudhuvai Tamizh Sangam
Represented by its President,
No.2, Tamizh Sangam Veedhi,
45 feet Vallalar Road,
Venkatanagar,
Puducherry - 605 001. ... Respondents in W.P.No.2133/2020

Prayer in W.P.No.2071 of 2020:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1, 3 and 4 Respondents to enquire into the misuse of MPLAD Scheme Fund by the 7th Respondent that was sanctioned vide Order No. 22/ DRDA / EC/ MPLADS (RS) /2003-03 dated 20.11.2002 for the purpose of library, take appropriate action against the offenders managing the 7th Respondent and direct the 4th respondent to take over the assets of the 7th Respondent created out of funds sanctioned under the stated MPLAD Scheme manage and use the assets for the rightful functioning of library at R.S.No.311/1, Venkatanagar, Vallalar Salai, Saram Revenue Village, Oulgaret Municipality, Puducherry.

Prayer in W.P.No.2133 of 2020:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to



constitute a Committee to enquire into the moneys received by the 4th respondent from the 2nd respondent and other sources about the 4th respondent's statutory non-compliances and report to this Hon'ble Court for appropriate action against the offenders and persons responsible for managing the 4th respondent 2010-2019.

For Petitioner : Mr.S.P.Vijayaragavan
in both the W.Ps.

For Respondents : M/s.G.Diearany
Government Advocate for Puducherry
in both the W.Ps.

C O M M O N O R D E R

Since the issue involved in these writ petitions are common in nature, they are heard together and disposed of by way of a common order.

2.The case of the petitioner is that the petitioner is the life member of Pudhuvai Tamizh Sangam. Pudhuvai Tamizh Sangam was sanctioned with funds for construction of building for library, purchase of books and allied purpose at R.S.No.311/1, Venkatanagar, Vallalar Salai, Saram Revenue Village, Oulgaret Municipality, Puducherry as per the guidelines of the Member of Parliament Local Area Development Scheme (in short 'MPLAD' Scheme).

3.The further case of the petitioner is that the then President of the Pudhuvai Tamizh Sangam namely, Thiru.Mannarmannan had submitted an affidavit on behalf of the Sangam agreeing to utilize the building only for the purpose of running a library and in the event of any misappropriation were to take place in this regard, the Project Director, District Rural Development Agency, Puducherry could take over the building. Apart from the said affidavit, an agreement was also entered between the District Rural Development Agency, Puducherry and Pudhuvai Tamizh Sangam on 27.02.2003 registered as Document No.152/2003, Book 4 Volume 247 pages 249 to 252 at the Sub-Registrar Office, Puducherry.

4.The further case of the petitioner is that contrary to the said agreement, the building constructed out of MPLAD fund for the purpose of library has been let out for all purposes other than functioning as a library to private parties.



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Puducherry - 605 001.
8. The Director,
District Rural Development Agency,
Puducherry.

+1cc to M/s.S.P.Vijayaraghavan, Advocate, S.R.No.57588

W.P.Nos.2071 and 2133 of 2020

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RSI (CO)
SU(03/12/2021)