



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1022 of 2021

M.Anandhan

... Petitioner

-Vs-

1.The District Collector,
Theni District.

2.The Block Development Officer,
Bodinayakkanur Panchayat Union,
Bodynayakkanur,
Theni District.

3.P.T.Rajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to take appropriate action by disposing the petitioner's representation dated 13.10.2020 relating to serious malpractice done by the third respondent, obtained monetary benefit about Rs.2,39,800/- by producing false and bogus documents in Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) and made a revenue loss to the Government as well as extirpated a qualified beneficiary.

For Petitioner	: Mr.S.Suriyanarayanan
For R1 & R2	: Mr.C.Ramar
	Government Advocate
For R3	: Mr.M.Muthu Geethian

ORDER

Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for R1 and R2 and Mr.M.Muthu Geethian, learned counsel appearing for R3 .

2.The petitioner states that his father obtained hand loan from the third respondent and to secure the same, the petitioner's land was mortgaged. The specific allegation of the petitioner is that by misusing the mortgaged documents, the third respondent has obtained benefit under MGNREGS Scheme. The petitioner has given a representation to the first respondent and he wants the first respondent to enquire into the same.

3.It is submitted by the learned Government Advocate that civil



suit is pending between the parties.

4. It is obvious that a civil issue is sought to be espoused in the writ petition. The petitioner has to work out his right against the third respondent in the pending proceedings. Filing a writ petition is misconceived. Leaving open the rights of the petitioner, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 District Collector,
Theni District.
- 2.The Block Development Officer,
Bodinayakkanur Panchayat Union,
Bodynayakkanur,
Theni District.

+1 CC to M/s.GP (SR-2053[F] dated 25/01/2021)

W.P. (MD)No.1022 of 2021
22.01.2021

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MJ(CO)

KK(08.02.2021) 2P 4C