



W.P.No.34001 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.12.2022

WEB COPY

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

W.P.No.34001 of 2022

Dhanam Sekar

... Petitioner

Vs.

1. The Secretary
Ministry of Panchayat Raj,
Krishi Bhavan
Dr.Rajendra Prasad Road,
New Delhi 110 001.
2. The Principal Secretary,
Department of Rural Development and
Panchayat Raj, Fort St. George,
Chennai 600 009.
3. The Director of Rural Department and
Panchayat Raj, Panagal Maaligai,
Chennai 600 015.
4. The District Collector/Chairman,
District Rural Development Agency,
Villupuram District, Villupuram.
5. The Additional Collector,
Development,
District Rural Development Agency,
Villupuram District, Villupuram.
6. The Block Development Officer,
Village Panchayats,
Melmalaiyanur Union, Villupuram District.



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7. The Panchayat Secretary,
Valathi Village Panchayat,
Melmalaiyanur Taluk,
Villupuram District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, seeking Writ of Mandamus, directing the sixth and seventh respondent to release the amount due to the petitioner along with interest from the date of order of the fourth respondent 24.09.2022 vide Roc No.B4/0699/2021 and consequently, direct the officials of the first respondent to conduct enquiry upon the representation of the petitioner dated 18.11.2022, within a time frame to be fixed by this Court.

For Petitioner : Mr.C.Munusamy

For Respondents : Mr.K.Karthick, Jeganath,
Government Advocate
for R2 to R4 and R7
Mr.C.Sathish, Government Advocate
for R6

ORDER

This writ petition has been filed to direct the sixth and seventh respondent to release the amount due to the petitioner along with interest from the date of order of the fourth respondent 24.09.2022 vide Roc No.B4/0699/2021 and consequently, direct the officials of the first respondent to conduct enquiry upon the representation of the petitioner



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dated 18.11.2022, within a time frame to be fixed by this Court.

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2. The petitioner is a registered contractor with the Melmanianur Union Panchayat of Villupuram District and she completed the work of "upgradation of Valathi-Ariyapuravadai road", under the 15th Finance Commission 2020-2021, as early as 09.06.2022. As per the completion report, the work executed by the petitioner has been computed to an amount of Rs.10,28,066/- and the fourth respondent, vide proceedings dated 24.09.2022, has ordered the sixth respondent to release the above sanctioned amount from the 15th Finance Commission Account, maintained at the seventh respondent Village Panchayat in Melmalaiyanur Block. As per the order of the fourth respondent, after deductions, the amount to be paid to the petitioner is Rs.9,68,929/-.

3. Despite the order of the fourth respondent, the sixth and seventh respondents have refused to release the amount from the 15th Finance Commission Accounts and the petitioner came to know that the funds from 15th Finance Commission account has been diverted to some other account of the Valathi Village Panchayat, which is in clear



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violation of the operational guidelines. The petitioner has given a representation to the respondents, however, it was not considered. Hence this writ petition.

4. Mr.K.Karthick Jeganath, learned Government Advocate, takes notice for the respondents 2 to 7 and Mr.C.Sathish, learned Government Advocate takes notice for the sixth respondent.

5. The learned Government Advocate, appearing for the sixth respondent submitted that the amount to be paid to the petitioner would be released within four weeks.

6. Recording the submission made by the learned Government Advocate, the sixth respondent is directed to release the amount to be paid to the petitioner, within four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of.



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No cost.

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Index: Yes/No

Internet: Yes/No

mst

To

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7. The Panchayat Secretary,



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Valathi Village Panchayat,
Melmalaiyanur Taluk,
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N. SATHISH KUMAR, J.,
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