



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.10041 of 2022

Perumal Ammal,
President of Kaveriammapatti Panchayat,
Ottanchathiram Union,
Dindigul District.

... Petitioner

Vs.

1.Union of India,
Ministry of Rural Development,
Government of India,
Jaisalmer House, Mansingh Road,
New Delhi - 110 011.

2.The Principal Secretary,
Rural Development and Panchayat,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.

3.The Director,
Rural Development and Panchayat,
4th and 5th Floor, Jeenis Road,
Saidapet, Chennai - 600 009.

4.The District Collector/Panchayat Inspector,
Dindigul District,
Dindigul.

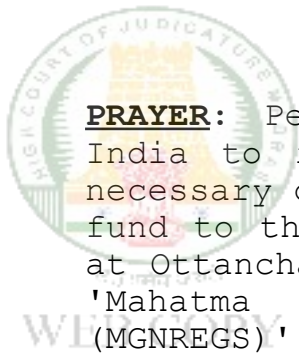
5.The Project Director,
Rural Development and Panchayat,
Dindigul.

6.The Assistant Director,
Rural Development and Panchayat,
Dindigul.

7.The Block Development Officer,
Ottanchathiram Union Office,
Dindigul District.

8.The Assistant Executive Engineer,
Rural Development Department,
Palani Sub Region,
Palani, Dindigul District.

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents to necessary direction to the 4th Respondent to sanction and deliver the fund to the Petitioner's Panchayat called Kaveriammapatty Panchayat at Ottanchathiram Union, Dindigul District under the scheme of the 'Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)' on the basis of the Petitioner's representation dated 26.04.2022 within a time frame to be stipulated by this Court.

For Petitioner : Mr.S.M.Ramasiva
For Respondent : Mrs.S.Deepa for R1
Central Government Standing Counsel
Mr.Veera Kathiravan for R2 to R8
Additional Advocate General assisted
by Mr.S.Kameswaran
Government Advocate

ORDER

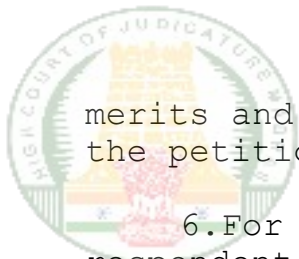
This writ petition has been filed for a Mandamus seeking for a direction to the fourth respondent to sanction and deliver the fund to the Petitioner's Panchayat called Kaveriammapatti Panchayat at Ottanchathiram Union, Dindigul District under the scheme of the 'Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)', on the basis of the Petitioner's representation, dated 26.04.2022, within a time frame to be fixed by this Court.

2.Heard Mr.S.M.Ramasiva, learned counsel for the petitioner, Mrs.S.Deepa, learned Central Government Standing Counsel, who accepts notice on behalf of the first respondent and Mr.Veera Kathiravan, learned Additional Advocate General, assisted by Mr.S.Kameswaran, learned Government Advocate, who accepts notice on behalf of the respondents 2 to 8.

3.The petitioner is a Panchayat President. According to her, her Panchayat has not been provided with the fund under the 'Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)'. It is her case that as per the said scheme, the petitioner's Panchayat is entitled for funds.

4.However, the learned Additional Advocate General, appearing for some of the official respondents would submit that there are several preconditions before the petitioner's representation can be considered on merits and in accordance with law. Unless and until the petitioner satisfies the same, the question of disbursement of fund under the 'Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)' will not arise. According to the learned counsel for the petitioner, the petitioner has satisfied all the preconditions.

5.No prejudice will be caused to the respondents, if the representation, dated 26.04.2022, is considered on



merits and in accordance with law, after affording a fair hearing to the petitioner.

6.For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation, dated 26.04.2022, seeking for disbursement of fund to her panchayat under the 'Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)' and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Vacation Officer

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.Ministry of Rural Development,
Union of India,
Government of India,
Jaisalmer House, Mansingh Road,
New Delhi - 110 011.
- 2.The Principal Secretary,
Rural Development and Panchayat,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
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- 5.The Project Director,
Rural Development and Panchayat,
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6.The Assistant Director,
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Dindigul District.

8.The Assistant Executive Engineer,
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Palani Sub Region,
Palani, Dindigul District.

+1 CC to M/s.SPL.GP (SR-24095[F] & SR-24089[F]dated 23/05/2022)

W.P. (MD)No.10041 of 2022
20.05.2022

MGJ(28.05.2022) 4P 10C