



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.9987 of 2022

WEB COPY

Rajesh
President of Kariyampatti Panchayat,
Thoppampatti 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, Jeensis 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,
Thoppampatti 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 Kariyampatti Panchayat at Thoppampatti Union, Dindigul District under the scheme of the 'Anaithu Grama Anna Marumalarchi Thittam (AGAMT)', 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 Mrs.D.Farjana Ghoushia
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 Kariyampatti Panchayat at Thoppampatti Union, Dindigul District under the scheme of the 'Anaithu Grama Anna Marumalarchi Thittam (AGAMT)', 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 Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who accepts notice on behalf of the respondents 2 to 8.

3.The petitioner is a Panchayat President. According to him, his Panchayat has not been provided with the fund under the 'Anaithu Grama Anna Marumalarchi Thittam (AGAMT)'. It is his 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 other 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 'Anaithu Grama Anna Marumalarchi Thittam (AGAMT)' 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 petitioner's representation, dated 26.04.2022, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

WEB COPY

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 his panchayat under the 'Anaithu Grama Anna Marumalarchi Thittam (AGAMT)' 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/-

Assistant Registrar
(Vacation Officer)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

To

- 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.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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

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

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

+1 CC to M/s.SPL.GP (SR-24092[F] dated 23/05/2022)

+1 CC to M/S.B.DEEPA ,Advocate, SR-9596

W.P. (MD)No.9987 of 2022
20.05.2022

RK(28/05/2022) 4P 11C