



W.P.(MD) No.26615 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.26615 of 2022

K.S.Muthu Kumar

... Petitioner

Vs.

- 1.The Secretary to the Government,
Department of Rural Development,
St. George Fort,
Chennai.
- 2.The District Collector,
Theni District.
- 3.The Project Director,
District Rural Development Agency,
Theni District.
- 4.The Commissioner,
Panchayat Union,
Theni District.



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WEB CTS 5.Thilagavathy

6.Kavitha

7.Anitha

8.Karthikeyan

9.Pandiyarajan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 4 to take appropriate action against the respondent Nos.5 to 9 for misappropriation of government fund allotted under CGF Scheme for laying road from Puthukulam to Koduvilarpatty village based on the representation dated 05.04.2022 preferred by the petitioner and consequently direct the respondent Nos.1 to 4 to laid the road Puthukulam to Koduvilarpatty.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader for R1 to R3.



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 4 to take appropriate action against the respondent Nos.5 to 9 for misappropriation of the Government fund allotted under CGF Scheme for laying road from Puthukulam to Koduvilarpatty village, based on the representation of the petitioner dated 05.04.2022, and consequently direct the respondent Nos.1 to 4 to lay a road from Puthukulam to Koduvilarpatty village.

2. Heard Mr.B.Jeyakumar, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the respondents 4 to 9 is dispensed with.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



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4. It is the claim of the petitioner that though the Government had sanctioned a sum of Rs.17,00,000/-, under CGF Scheme to lay a road from Puthukulam to Koduvilarpatty village, till date, no road has been laid by the respondents 5 to 9 and the fund allotted by the Government has been misappropriated by them. In this regard, the petitioner made several representations, seeking to take action against the respondents 5 to 9 and though the fourth respondent appointed the Assistant Engineer, Theni Panchayat Union as Enquiry Officer with regard to the alleged misappropriation made by the respondents 5 to 9, there was no progress. Hence, the petitioner made a representation on 28.09.2022, to the fourth respondent, seeking to furnish the enquiry report of the Assistant Engineer, Theni Panchayat Union, who conducted the enquiry. However, the said representation has not been considered by the respondents till date. Hence, the petitioner has filed this Writ Petition.

5. The learned Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 28.09.2022 would be



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considered by the official respondents and necessary action will be taken, within a time frame, for which, the learned counsel for the petitioner is agreeable.

6. Considering the above submissions, without going into the merits of the matter, we direct the respondents to consider and dispose of the representation of the petitioner dated 28.09.2022, and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. With the above direction, this Writ Petition is disposed of. No costs.

[R.M.D., J.] [J.S.N.P., J.]

25.11.2022

vsm



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

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