



WEB COPY



W.P.No.26 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

The HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26 of 2023

Muthulingam

.. Petitioner

VS

1.The District Collector / District Project
Coordinator (MGNREGA Scheme)
Kallakurichi District,
Kallakurichi.

2.The Block Development Officer,
Thirunavalur Panchayat Union,
Kallakurichi District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to provide the allotment amount in relating to the construction of individual well for the benefit of the petitioner pursuant to the orders of 2nd respondent vide proceedings Na.Ka.No.Aa3/4636/2020 dated 19.02.2021 by considering the representation dated 23.12.2022 within a time bound that may be stipulated by this Court.

For Petitioner : Ms.R.Raji

For Respondents : Mr.N.Naveenkumar
Government Advocate



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ORDER

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1. This writ petition has been filed for a direction to the respondents to provide allotment of funds for construction of individual well under the Mahatma Gandhi National Rural Employee Guarantee Scheme.

2. It is the case of the petitioner that under the MGNREGA Scheme, in order to eradicate poverty and to perform unskilled manual work, guaranteed employment opportunity is provided to rural people for a period of 100 days in every financial year. The petitioner who is a farmer, had applied for the work under Category – B individual assets/ common assets including for vulnerable section of construction of individual well under the Scheme. The petitioner was selected as beneficiary as per the proceedings of the second respondent, which reads as follows:-

MGNREGES 2020-2021 (Individual Well)

<i>S.No</i>	<i>Name of the Panchayat</i>	<i>Hamlet Village</i>	<i>Beneficiary name for construction of individual well</i>	<i>Material component 92.26%</i>	<i>Labour component 7.74%</i>	<i>Estimate amount</i>	<i>No of man days</i>
1	2	3	4	5	6	7	8
1	Nedumanur	Nedumanur colony	Muthulingam s/o.Adhimoolam	690105	57895	748000	226



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3. In view of the above proceedings, the petitioner has started his construction work without any sufficient funds. Despite the representation given by the petitioner on 23.12.2022 to sanction the amount, the same has not been done by the respondents and therefore seeks directions.

4. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

5. On instructions, learned Government Advocate submitted that though the petitioner was selected as beneficiary under the Scheme, it was later found out that the petitioner's wife is working as Anganwadi Worker in the State Government and, therefore, as per the Scheme, it is not possible to provide funds to the family members, who are working in the Government Department. It is further submitted by the learned Government Advocate that the allotment itself got cancelled vide proceedings dated 26.02.2021 and the same is also placed before this Court.



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6. Thus, in view of the submission of learned Government Advocate and the proceedings dated 26.02.2021, there cannot be any direction for allotment of funds to the writ petitioner.

7. In view of the above, the writ petition is dismissed. No costs.

12.01.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

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N.SATHISH KUMAR., J.

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