



W.P.No.14176 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.14176 of 2023

S.Sabarinathan

... Petitioner

-Vs-

1.The Secretary
Rural Development & Panchayat Raj
Secretariat, St. George Fort,
Chennai – 600 009.

2.The Commissioner
Rural Development & Panchayat Raj
Panagal Building
Saidapet
Chennai – 600 015.

3.The Collector
Collector Office
Tiruvarur.

4.The Assistant Director (Panchayat)
Collector Office, Tiruvarur District
Tiruvarur.

5.The Block Development Officer
(Village Panchayat)
Block Development Office
Valangaiman, Tiruvarur District.

.. Respondents



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Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 5th respondent herein to disburse the bill amount of Rs.1,12,500/- for the Mini Power Pump work done by the petitioner, Amaravathy Village, Thiruvonamangalam Panchayat, Valangaiman Union, Tiruvarur District.

For Petitioner Ms.S.Sasikala

For Respondents Mr.C.Selvaraj
Additional Government Pleader
for R1 to R4

Mrs.Akila Rajendran
Government Advocate
for R5

ORDER

Mr.C.Selvaraj, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 4.

2.Mrs.Akila Rajendran, learned Government Advocate takes notice on behalf of the 5th respondent.

3.This writ petition has been filed for the issue of a writ of mandamus directing the 5th respondent to disburse the amount that is due and payable to the petitioner for the work done by the petitioner under the Pradhan Mantri Adarsh Gram Yojana (PMAGY) Scheme at Valangaiaman Union, Thiruvarur District.



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4.The grievance of the petitioner is that the petitioner was awarded work under the PMAGY Scheme and the work was completed as early as in the year 2016. The petitioner submitted the bill amount of Rs.1,12,500/- for the work done by him. Since the same was not disbursed, a representation was also made by the petitioner to the 5th respondent. The representation did not evoke any response and hence, left with no other alternative, the present writ petition has been filed before this Court.

5.The learned counsel for the petitioner submitted that similarly placed persons had approached this Court and filed writ petitions and only after filing of the writ petition, the amount was disbursed to them by the Block Development Officer. Hence, the learned counsel submitted that similar direction can be issued to the 5th respondent to disburse the amount that is due and payable to the petitioner.

6.Per contra, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 submitted that the Block Development Officer had misappropriated some amounts and proceedings had to be initiated and ultimately, the amount was recovered and it has now been credited to the account of the District Collector. The learned Additional Government Pleader therefore submitted that the disbursement of amount will take place only from the office of the District Collector subject to the petitioner being entitled for the same.



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7. In the considered view of this Court, the petitioner had completed the work as early as in the year 2016 itself and the bills have also been submitted. The petitioner has not been settled the amount for nearly seven years. If the Block Development Officer had involved in misappropriation of amount, that cannot be a ground to unnecessarily delay the settlement of the amount due and payable to the petitioner for the work already completed. Taking into account, the submission of the learned Additional Government Pleader, this writ petition can be disposed of by issuing necessary directions to the 3rd respondent viz., the District Collector.

8. This writ petition is disposed of with a direction to the District Collector, Thiruvarur to disburse the amount that is due and payable to the petitioner for the work undertaken under PMAGY Scheme based on the bill raised by the petitioner and this payment shall be made within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order. It is made clear that if the amount is not disbursed within time limited fixed by this Court, subject to the entitlement of the petitioner, any settlement thereafter will carry an interest of 9% from the date when the amount became due and payable till the date of actual payment. No Costs.

01.06.2023

KP

Internet : Yes/No

Index : Yes/No

Neutral Citation : Yes/No



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WEB COPY

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N.ANAND VENKATESH, J.

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