



WEB COPY



W.P. No. 33152 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 33152 of 2023

and

W.M.P. No. 32840 of 2023

Balamurugan

... Petitioner

-VS-

1. The District Collector
Office of District Collector
Nagapattinam District.
2. The Additional Deputy Collector
/ Project Director
District Rural Development Agency
Office of District Collector
Nagapattinam District.
3. The Zonal Deputy Block Development Officer
Union Office Thalainayar
Nagapattinam District.
4. The Block Development Officer
Village Panchayat
Union Office Thalainayar
Nagapattinam District.
5. The Thasildhar
Office of Vedharnayam Thasildhar
Vedharanyam, Nagapattinam District.

... Respondents



W.P. No. 33152 of 2023

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Fourth Respondents to include the Petitioner name in the beneficiary list of Participation of identification of the poor for the scheme of sanction of Individual Asserts under MGNERA and further direct to the Respondents to prepare the list of beneficiaries as per the guidelines of ROC No.18324/2023/MGNREGS-1-1 dated 02.09.2023 in pursuant to Petitioner representation dated 13.11.2023.

For Petitioner : Mr. P.Muthamizhselvakumar

For Respondents : Mr. U.Baranidharan
Additional Government Pleader

ORDER

Heard Mr. P.Muthamizhselvakumar, Learned Counsel for the Petitioner and Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 13.11.2023 to the First to Fourth Respondents to include him in the list of beneficiaries to MGNERA scheme and prepare the list as per



W.P. No. 33152 of 2023

the guidelines in ROC No. 18324/2023 /MGNREGS-1-1 dated 02.09.2023, but

as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 13.11.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;



W.P. No. 33152 of 2023

(iv) a reasoned order shall be passed dealing with each of the contentions

raised on merits and in accordance with law and the decision taken

communicated under written acknowledgment; and

(v) the report of such compliance shall be filed by 31.03.2024 before the

Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

30.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 08.01.2024.

Maya

To

1. The District Collector
Office of District Collector
Nagapattinam District.
2. The Additional Deputy Collector
/ Project Director
District Rural Development Agency
Office of District Collector
Nagapattinam District.
3. The Zonal Deputy Block Development Officer
Union Office Thalainayar, Nagapattinam District.



W.P. No. 33152 of 2023

4. The Block Development Officer
Village Panchayat
Union Office Thalainayar
Nagapattinam District.
5. The Thasildhar
Office of Vedharnayam Thasildhar
Vedharanyam, Nagapattinam District.

Copy to

1. The Registrar (Judicial)
Madras High Court,
Chennai 600 104.
2. Balamurugan,
S/o.Sundaresan,
No.1/68, Thamaraipulam,
Kallimedu, Vedharanyam Taluk,
Nagapattinam District.



WEB COPY



W.P. No. 33152 of 2023

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 33152 of 2023

30.11.2023