



WP(MD)No.23110 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.11.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.23110 of 2021

and

W.M.P.(MD)No.19560 of 2021

Chinnadurai

...Petitioner

/Vs./

1.The District Collector,
Karur District,
Karur.

2.The Project Director,
Karur District,
Karur.

3.The Assistant Director (Village Panchayats),
Office of the District Collector, Karur.

4.The Block Development Officer, (Village Panchayats),
Thogaimalai Panchayat Union,
Thogaimalai, Karur District.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to implement the proceedings of the 1st respondent issued in Na.Ka.No.A1/2981/2021 dated 27.10.2021 in letter and spirit.



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For Petitioner : Mr.T.M.Madasamy

For Respondents : Mr.A.K.Manikkam

Special Government Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the first and second respondents to implement the proceedings of the first respondent dated 27.10.2021 and to permit the petitioner to dig the well in his agricultural land under the Mahathma Gandhi National Rural Employment Guarantee Scheme.

2. The fourth respondent has filed a counter affidavit and the relevant portions are extracted herein:-

“1.....

I have joined as the Block Development Officer of Thogaimalai Panchayat Union on 10.01.2022. It is true that the petitioner is having residence in Karur District. The petitioner is residing in Door No.119/1, Kannalvadanaickanpatti, Porunthalur Village - 621313, Kulithalai Taluk, Karur District. It is also true that the petitioner is a Small Farmer. The petitioner is also holding agricultural land to an extent of 4 acres some hundred meters away from his residence. Though the agricultural land is nearer to his residence it comes under Thoppampatti Village, Manapparai Taluk,



Tiruchirappalli District.

2. I submit that, the petitioner is a beneficiary under the Mahatma Gandhi National Rural Employment Guarantee Scheme and the petitioner is working in the Porunthalur Village Panchayat as the petitioner is having residence in Porunthalur Village, Kulithalai Taluk, Karur District. The proceedings of the 1st respondent dated 27.10.2021 is issued after ascertaining the residence of the petitioner and the agricultural land of the petitioner which is located some 100 meters from the residence of the petitioner. I have to issue work order the proceedings of the 1st respondent dated 27.10.2021. It is also true that the Mahatma Gandhi National Rural Employment Guarantee Scheme is a Central Government Scheme and nothing in correct in the proceedings of the 1st respondent.

3. I submit that, I have enquired the petitioner on receipt of the anonymous letter stating that the petitioner is belonged to AIADMK Party. We will not consider political affiliations in the implementation of the Mahatma Gandhi National Rural Employment Guarantee Scheme. The proceedings of the 1st respondent dated 27.10.2021 has allotted Rs.8.58 lakhs to dig a well in the agricultural land of the petitioner under the Mahatma Gandhi National Rural Employment Guarantee Scheme. I have no authority and power to modify or cancel the proceedings of the 1st respondent dated 27.10.2021. The 1st respondent also directed me to implement the scheme in letter and spirit.”

3. It is clear from the above counter affidavit that the petitioner has already been found to be eligible under the aforesaid scheme and the first



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respondent has already directed to implement the scheme in letter and spirit. In view of the same, the fourth respondent shall act upon the direction issued by the first respondent through proceedings dated 27.10.2021 and do the needful within a period of six weeks from the date of receipt of a copy of this order.

4. This writ petition is disposed with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

23.11.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No



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TO:-

WEB COPY

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Thogaimalai, Karur District.



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N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.23110 of 2021

Dated:
23.11.2023