



WEB COPY



W.P.No.1289 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

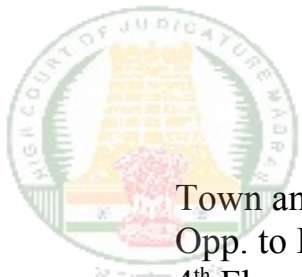
W.P.No.1289 of 2021

R.Gangadharan

... Petitioner

-VS-

1. Government of India,
Rep. by Secretary,
Ministry of Housing and Urban Affairs,
Town and Country Planning Organization,
New Delhi.
2. Government of Tamil Nadu,
Rep. by its Secretary,
Department of Rural Development and Panchayat Raj Department,
Fort St.George, Rajaji Road,
Chennai-600 009.
3. The Secretary,
Housing and Urban Development,
Fort St.George, Rajaji Road,
Chennai-600 009.
4. The Director,
Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, 4th & 5th Floor,
Saidapet, Chennai-600 015.
5. The Director,



W.P.No.1.....

Town and Country Planning,
Opp. to LIC, Sengalvarayan Building,
4th Floor, No.807, Anna Salai, Chennai.

WEB COPY

6. The District Collector,
Collectorate Office,
Krishnagiri District.
7. The Thasildhar,
Office of Thasildar,
Uthankarai,
Krishnagiri District.
8. The Block Development Officer,
Uthankarai,
Krishnagiri District.
9. The Village Administrative Officer,
VAO Office, Pambaru Dam,
Uthankarai Taluk, Krishnagiri District.
10. The Secretary,
Ministry of Rural Development,
Having its Office at 1st Floor,
Krishi Bhavan, Dr.Rajendra Prasad Road Marg,
Rajpath Area, Central Secretariat,
New Delhi-110 001.

... Respondents

(R10 suo motu impleaded vide order dated 19.02.2021)

Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider petitioner's representation dated 26.09.2020 addressed highlighting the acts of the miscreant authorities in misappropriating the funds that were allotted for implementation of Pradhan Mantri Awaas Yojana – Gramin (PMAY-G) and to take necessary action against those officials and to file a status report.

For Petitioner : Mr.D.Thirumoorthy



W.P.No.1.....

For R1 to R9 : Mr.A.Edwin Prabhakar
State Government Pleader
For R10 : No Appearance

ORDER

(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents to consider the petitioner's representation dated 26.09.2020 addressed highlighting the acts of the miscreant authorities in misappropriating the funds that were allotted for implementation of Pradhan Mantri Awaas Yojana – Gramin (PMAY-G) and to take necessary action against those officials and to file a status report.

2. When the matter is taken up for hearing, learned State Government Pleader drew the attention of this Court the Additional Status Report filed by the District Collector, Krishnagiri District / R6 herein, wherein it has been stated as follows:

“2) It is submitted that as against the erring officials (22 Nos) belonging to various cadres, disciplinary action was initiated as per the rules and separate charge-memos were issued to each of the delinquent officers by the disciplinary authority concerned. Thereafter, an Enquiry Officer viz., Thiru.S.Easwaran, Ex-Joint Director/Project Director Tamil Nadu Rural Development and Panchayat Raj Department and presently Joint Director/General Manager, Tamil Nadu Cable T.V. Corporation was appointed to conduct the departmental enquiry and after conducting departmental enquiry, the Enquiry Officer has submitted his Report to this Respondent on 17.02.2024. In his report, the Enquiry Officer has held the charges to be 'proved' in respect of 13 delinquent officials and as 'not proved' in respect of 9 delinquent officials.



W.P.No.1.....

3) On receipt of the Enquiry Officer's Report, this Respondent the District Collector has called for explanation from the 13 delinquent officials against whom the charges were held to be proved and the said 13 delinquent officials having submitted their explanation, this Respondent has forwarded the same to the Directorate of Rural Development and Panchayat Raj calling for their remarks. After, receipt of the remarks from the Directorate of Rural Development and Panchayat Raj Department, necessary orders would be issued by this Respondent on the departmental proceedings. Thus, the departmental proceedings have reached the conclusion stage and final orders shall be passed after receiving the remarks from the Directorate of Rural Development and Panchayat Raj.

4) It is submitted that apart from the initiation of disciplinary proceedings, recovery proceedings have also been initiated by this respondent vide Proceedings in Na.Ka.No.7303/2019/R2 dated 14.06.2024 for recovering the loss from 30 beneficiaries whom happened to be ineligible beneficiaries under the PMAY(G) benefit scheme and who availed the benefits under the scheme by providing false information.”

3. In view of the above report of the District Collector, Krishnagiri District, we are of the view that since action had already been initiated against the errant officials, who were identified to be responsible for misappropriating the funds allotted for implementation of Pradhan Mantri Awaas Yojana – Gramin (PMAY-G), there is no need to issue any direction to the respondents.

4. At this juncture, learned counsel for the petitioner requests that if at all any misappropriation or illegality is continued in respect of allotment of benefits to ineligible beneficiaries under the PMAY-G scheme, the petitioner may be permitted to



W.P.No.1.....

bring the wrongful acts of miscreants to the notice of the concerned authority.

WEB COPY

5. Recording the report of the District Collector, Krishnagiri District, this Writ Petition is disposed of. In case of any further misappropriation or illegality under the PMAY-G scheme noticed by the petitioner, it is open to him to approach the concerned authority for necessary action. No costs.

[D.K.K.,ACJ.]

[P.B.B,J.]

06.08.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

ar

To:

1. The Secretary,
Government of India,
Ministry of Housing and Urban Affairs,
Town and Country Planning Organization,
New Delhi.
2. The Secretary,
Government of Tamil Nadu,
Department of Rural Development and Panchayat Raj Department,
Fort St.George, Rajaji Road,
Chennai-600 009.

HON'BLE ACTING CHIEF JUSTICE,

AND

P.B.BALAJI,J.,

ar

3. The Secretary,
Housing and Urban Development,
Fort St.George, Rajaji Road,



W.P.No.1289 of 2021

Chennai-600 009.

4. The Director,
Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, 4th & 5th Floor,
Saidapet, Chennai-600 015.
5. The Director,
Town and Country Planning,
Opp. to LIC, Sengalvarayan Building,
4th Floor, No.807, Anna Salai, Chennai.
6. The District Collector,
Collectorate Office,
Krishnagiri District.
7. The Thasildhar,
Office of Thasildar,
Uthankarai,
Krishnagiri District.
8. The Block Development Officer,
Uthankarai,
Krishnagiri District.
9. The Village Administrative Officer,
VAO Office, Pambaru Dam,
Uthankarai Taluk, Krishnagiri District.

W.P.No.1289 of 2021