



WEB COPY



W.P.No.12638 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.12638 of 2021

R.Amirthavalli

.... Petitioner

Vs

1. Secretary to Government,
Ministry of Municipal Administration
Rural Development and Implementation of
Special Programme,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009.

2. District Collector,
Tiruvarur District,
Tiruvarur.

3. The Principle Secretary,
Pradhan Mantri Awas Yojana,
(PMAY Scheme) and
(Central Government Swachh Bharat Urban Scheme)
Ministry of Housing & Urban Affairs,
Government of India,
New Delhi – 110 001.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent herein to complete the implementation of the scheme and handover the 144 houses



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and 433 toilets to the victims who had been cheated, as per the Pradhan Mantri Awas Yojana (PMAY) and Swatch Bharath Scheme of Central Government.

For Petitioner : Mr.S.Panneerselvam
For R1 & R2 : Mr.P.Muthukumar
Additional Advocate General
Assisted by Mr.T.Venkatesh Kumar
Special Government Pleader
For R3 : M/s.N.K.Nithila Vani
Central Government Standing Counsel

ORDER

This Writ Petition has been filed for a direction directing the respondents to complete the construction and handover the 144 houses and 433 toilets to the beneficiaries under PMAY and Swatch Bharath Urban Scheme.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The case of the petitioner is that it is a scheme to build 225 houses and 493 toilets were sanctioned to Thalaiyamangalam Panchayat, Mannargudi Panchayat Union for the year 2017-2019. Accordingly, funds were allotted and the beneficiaries were selected for construction of houses and toilets. However, there was corruption and the entire money, which was allotted for construction of houses and



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toilets, were swindled by the officials. No houses and toilets were constructed. Therefore, there were lot of complaints before the authority concerned.

4. A perusal of the counter filed by the second respondent reveals that as against 143 beneficiaries under PMAY Scheme for houses, only 31 beneficiaries were found in the list. However, 112 beneficiaries were not found in the list and the funds were transferred in their favour. Therefore, there is gross violation of the guidelines issued under the Scheme and disciplinary proceedings have been initiated as against the erred officials. Insofar as the construction of toilets are concerned, out of 522 beneficiaries 417 beneficiaries, a sum of Rs.44,70,000/- was released without even execution of any work. Out of 417 beneficiaries, all the toilets were constructed except 108 beneficiaries. Therefore, action has been taken and they are facing disciplinary proceedings. Though they were suspended from service and thereafter, they were reinstated into service and facing disciplinary proceedings. A criminal complaint was also registered and the officials are facing criminal prosecution in C.C.No.10 of 2023 on the file of the Chief Judicial Magistrate, Tiruvarur, under the stage of framing of charges.

5. In view of the above, the second and third respondents are



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directed to complete the entire construction of houses and toilets under both the schemes and handover the same to the selected beneficiaries within a period of twelve weeks from the date of receipt of a copy of this order. Further they are directed to complete the disciplinary proceedings as against the erred officials within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

25.06.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To

1. Secretary to Government,
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2. District Collector,



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G.K.ILANTHIRAIYAN, J.

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