



W.P.No.14137 of 2020

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 12.09.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.14137 of 2020

T.Gopalakrishnan

.. Petitioner

Vs

1.The Principal Secretary to Government,
Rural Development and Panchayat Raj,
Chennai – 9.

2.The Director of Rural Development and Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 15.

3.The District Collector,
Nagapattinam District.

4.The Project Director,
District Rural Development Dept.,
Nagapattinam District.

5.The Assistant Director of Panchayat,
Nagapattinam District.

6.Block Development Officer,
Kollidam, Sirkazli Taluk,
Nagapattinam District.

7.The Panchayat President,
Kollidam, Sirkazli Taluk,
Nagapattinam District.

.. Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus to direct the respondents 3 to 5 to consider the request of the petitioner dated 18.08.2020 and to conduct enquiry with regard to allegations against the sixth respondent and to monitor the implementation of scheme under the Mahatma Gandhi National Rural Employment Act and State Government Rules by allotting work orders to the concerned Panchayats in Nagapattinam District.

For Petitioner : Mr.Sam Jayaraj Houston

For Respondents : Mr.V.Manoharan, AGP

ORDER

The writ petition has been filed for a direction to the respondents to consider the representation submitted by the petitioner dated 18.08.2020 seeking action against the sixth respondent and to monitor the implementation of the Scheme under the Mahatma Gandhi National Rural Employment Act and State Government Rules by allotting work orders to the concerned Panchayats in Nagapattinam District.

2. The petitioner is the elected Panchayat member of the 4th ward in Gopalasamudiram Panchayat, Kollidam, Sirkazi Taluk, Nagapattinam



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District. While being so, the Government of India introduced the National Rural Employment Guarantee Act, 2005, for rural development and to enhance the livelihood by guaranteed employment for 100 days to every rural household. In the year 2009, the said Act was renamed as Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA). The Government of India has allotted Rs.10,57,78,000/- under the Mahatma Gandhi National Rural Employment Guarantee Scheme for the year 2020-2021 for the Villages in Kollidam and as per the Act, the said fund has been distributed to the Village Panchayat for developing the scheme. While being so, the sixth respondent colluded with certain politicians and thereby engaged to employ villagers on commission basis. Therefore, the petitioner submitted a representation dated 18.08.2020 to the respondents.

3. On perusal of the counter affidavit filed by the third respondent, it is revealed that on receipt of the above said representation, the third respondent issued notice to the petitioner to attend enquiry conducted against the sixth respondent. However, the petitioner did not appear for enquiry before the third respondent and finally enquiry was conducted on



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12.12.2020. The third respondent, after conducting the enquiry, directed the Secretary of Village Panchayat to execute the work subject to the guidelines of MGNREG Scheme. No work order was issued either in the name of any individual or any contractor as alleged by the petitioner. Therefore, the complaint submitted by the petitioner was duly enquired and thereby it is concluded as baseless.

4. In view of the above, this Court does not find any merit in the writ petition and accordingly, the writ petition stands dismissed. No Costs.

12.09.2024

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WEB COPY To

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G.K.ILANTHIRAIYAN, J.
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