



WP No.36002 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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M.Anbuselvan

.. Petitioner

-VS-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St. George, Secretariat, Chennai 600 009.
2. The Commissioner,
Directorate of Town Panchayats,
75, Santhome High Road, Urban Administrative
Building, MRC Nagar, Raja Annamalaipuram,
Chennai 600 028.
3. The District Collector,
Thiruvannamalai District, Thiruvannamalai.
4. The Assistant Director (Village Panchayat),
District Collector Office, Thiruvannamalai,
Thiruvannamalai District.
5. The Block Development Officer
(Village Panchayat),
Thiruvannamalai Union, Thiruvannamalai District.



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6. Meena Karthikeyan

7. K.P.Karthikeyan

8. The Director,

Directorate of Vigilance and Anti Corruption,
Main Block, 293, MKN Road, Collector Nagar,
Alandur, Ramapuram, Chennai 600 016.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 and 8th respondents to take appropriate legal action against the financial irregularities committed by the respondents 5 to 7 in the name of implementing 'Pradan mandri Awas Yojana-Gramin'(PMAY-G) Scheme and 'Mahatma Gandhi National Rural Employment Guarantee Act 2005" (MGNREGA) with falsification of records for diversion of funds in consideration of records submitted and the representation submitted by the petitioner dated 21.07.2023 within a time frame fixed by this Court.

For the Petitioner : Mr.J.Jayamalan

For the Respondents : Mr.C.Kathiravan
Spl. Govt. Pleader for RR 1 to 5
: Mrs.AL.Gandhimathi, Senior Counsel
for Mr.L.Palanimuthu for RR 6 & 7
: Mr.R.Muniyappa Raj
Addl. Public Prosecutor for R-8

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Jayamalan, learned counsel for the petitioner, Mr.C.Kathiravan, learned Special Government Pleader, for respondent Nos.1 to 5, Mrs.AL.Gandhimathi, learned senior counsel for respondent Nos.6 and 7 and Mr.R.Muniyappa Raj, learned Additional Public Prosecutor for respondent No.8.

2. The 8th respondent has filed a status report. As per the said status report, the DVAC communicated to the Collector about the complaint and to take necessary action. The Collector designated an enquiry officer Mr.Karunakaran, Assistant Director, Rural Development (Audit), Thiruvannamalai, who conducted the enquiry and found sufficient evidence. The Collector sent a letter to the Director, Rural Development and Panchayat Raj Department, marking a copy to the DVAC. Based on the said letter, the DVAC has sought prior approval under Section 17(A) of the Prevention of Corruption Act, to the Collector, Thiruvannamalai in its letter dated 24.01.2024 to conduct a preliminary enquiry into the allegations and that is pending.



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3. As the respondents had already taken steps, we hope and trust that the same would be taken to its logical end.

As steps are already taken, we dispose of the writ petition.

There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

20.02.2024

Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The Principal Secretary to Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George, Secretariat, Chennai 600 009.
2. The Commissioner,
Directorate of Town Panchayats,
75, Santhome High Road, Urban Administrative
Building, MRC Nagar, Raja Annamalaipuram,
Chennai 600 028.
3. The District Collector,
Thiruvannamalai District, Thiruvannamalai.
4. The Assistant Director (Village Panchayat),
District Collector Office, Thiruvannamalai,
Thiruvannamalai District.



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5. The Block Development Officer
(Village Panchayat),
Thiruvannamalai Union, Thiruvannamalai District.
6. The Director,
Directorate of Vigilance and Anti Corruption,
Main Block, 293, MKN Road, Collector Nagar,
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