



W.P.(MD)No.20017 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2024

WEB COPY

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.20017 of 2024

P.Pitchairaja

... Petitioner

-VS-

1.The Secretary to Government,
Government of Tamil Nadu,
Urban Development and
Panchayatraj Department,
Fort St. George,
Chennai-9.

2.The District Collector,
Theni District,
Theni.

3.The Project Director,
District Rural Development Agency,
Theni.

4.The Assistant Director of Panchayat,
Collectorate Building,
Theni District,
Theni.

5.The Block Development Officer,
Andipatti Panchayat Union,
Andipatti,
Theni District.

6.The President,
Palayakkottai Village Panchayat,
Palayakkottai,
Andipatti Taluk,
Theni District-625 512.

...Respondents



W.P.(MD)No.20017 o

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 herein to take action against the respondents 5 and 6 herein for the misappropriation done in the NMR work (MGNREGS) for the period from 2020-2021 by considering the petitioner's representation dated 08.06.2024 and 29.06.2024.

For Petitioner : Mr.P.Sivachandran
For Respondents : Mr.P.Thilak Kumar,
Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“To issue a Writ of Mandamus, to direct the respondents 1 and 2 herein to take action against the respondents 5 and 6 herein for the misappropriation done in the NMR work (MGNREGS) for the period from 2020-2021 by considering the petitioner's representation dated 08.06.2024 and 29.06.2024.”

2. Mr.S.Saravanan, Block Development Officer, Andipatti Panchayat Union, is present in person. Though a lengthy counter affidavit has been filed setting out the system of Panchayat Raj and also constitutional ethos to be followed by Courts, the said counter affidavit itself exposes the fact that the records relating to works done under the Mahatma Gandhi National Rural Employment Guarantee Scheme have not been maintained properly. It is stated that the E-NMRs (Electrical Nominal Muster Role) relating to 4 channel works, 3 cattle shed works and 1 Goat shed were lost and were not produced for social audit. This



W.P.(MD)No.20017 o

raises a very grave suspicion regarding the proper conduct of the work.

WEB COPY

3. Hence, we dispose of the writ petition with the direction to the District Collector, Theni, to conduct a thorough enquiry regarding the works mentioned above and also to find out as to whether there were any irregularities in the conduct of the work. The District Collector is also directed to take appropriate action against the persons who are responsible for the loss of the registers. There shall be no order as to costs.

[R.S.M., J.] [L.V.G., J.]

14.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

Sml

To

1.The Secretary to Government,
Government of Tamil Nadu,
Urban Development and
Panchayatraj Department,
Fort St. George,
Chennai-9.

2.The District Collector,
Theni District,
Theni.

3.The Project Director,
District Rural Development Agency,
Theni.

4.The Assistant Director of Panchayat,
Collectorate Building,
Theni District,
Theni.

5.The Block Development Officer,
Andipatti Panchayat Union,
Andipatti,
Theni District.

6.The President,

<https://www.chennai.gov.in/judis-1>



Palayakkottai Village Panchayat,
Palayakottai,
Andipatti Taluk,
Theni District-625 512.

WEB COPY



W.P.(MD)No.20017 o



WEB COPY



W.P.(MD)No.20017 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Sml

W.P.(MD)No.20017 of 2024

14.10.2024