



WEB COPY

W.P.(MD) No.12250 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD) No.12250 of 2016

and

W.M.P.(MD) No.9339 of 2016 & 12539 & 12540 of 2017

A.Thillairaj

... Petitioner

-VS-

- 1.The Principal Secretary
Panchayat Raj Rural Development
Government of Tamil Nadu
Secretariat, Fort St.George
Chennai
- 2.The District Collector
Office of the District Collector
Tirunelveli District
- 3.The Project Director
District Panchayat Development
Tirunelveli District
- 4.The Block Development Officer
(Village Panchayat)
Office of the Block Development Officer
Radhapuram Panchayat Union
Tirunelveli District



WEB COPY

W.P.(MD) No.12250 of 2016

5.The President
Samugarengapuram Village Panchayat
Radhapuram Taluk
Tirunelveli District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 and 2 to conduct a detailed enquiry with regard to implementation of Scheme namely Free Concrete Houses for the villages around Koodankulam Nuclear Power Plan 2014-2015 and 2015-2016, selection of beneficiaries and take necessary action against the officials responsible for mistakes committed and irregularities done in selection beneficiaries and implementing the beneficiaries consequently directing the respondents to provide houses eligible under the scheme within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.S.P.Maharajan
Special Government Pleader



W.P.(MD) No.12250 of 2016

WEB COPY

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in this writ petition is to direct the respondents 1 and 2 to conduct a detailed enquiry with regard to implementation of the Scheme, namely, Free Concrete Houses for the villages around Koodankulam Nuclear Power Plan 2014-2015 and 2015-2016, selection of beneficiaries and take necessary action against the officials responsible for the mistakes and irregularities committed by them in selecting the beneficiaries and consequently to direct the respondents to provide houses for the eligible beneficiaries under the Scheme, within the time stipulated by this Court.

2. According to the petitioner, under the Scheme, namely, Free Concrete Houses for the villages around Koodankulam Nuclear Power Plan 2014-2015 and 2015-2016, the Government has decided to construct 5000 new houses in Tirunelveli District. The main object of the Scheme is to provide houses to those, who are houseless and living below poverty line in the villages around the Koodankulam Nuclear Power Plant. Under the said Scheme, based on the proceedings of the District Collector, Tirunelveli



W.P.(MD) No.12250 of 2016

WEB COPY

District, beneficiaries of 32 Village Panchayats coming under Radhapuram and Vallioor Panchayat Unions were to be selected for providing free concrete houses. In Samugarangapuram Village Panchayat, which comes under Radhapuram Panchayat Union, totally 183 beneficiaries have been selected for the said Scheme. However, in these 183 beneficiaries selected in Samugarengapuram Village Panchayat, the main guidelines of the said Scheme have been violated. The beneficiaries have been selected as per the whims and fancies of the Panchayat President and other officials. Therefore, seeking to conduct an enquiry and to take necessary action as against those officials, on 23.06.2016, the petitioner submitted a representation to the respondents. Since the same has not been considered, the petitioner has filed the present writ petition.

3. The District Collector, Tirunelveli District, has filed a counter affidavit by stating that based on the report of the Selection Committee and the resolution passed in the Grama Sabha held on 25.11.2015, administrative sanction was accorded for 183 houses *vide* proceedings dated 16.12.2015 and work order was issued by the Block Development Officer, Radhapuram Village Panchayat, to the individual beneficiaries and the same has been published in



W.P.(MD) No.12250 of 2016

WEB COPY

the District Administration Website also. Therefore, there is no violation in selecting the beneficiaries for the aforesaid Scheme.

4. The first respondent has filed a status report, wherein in Paragraph No.9, he has stated that the petitioner has not stated the names of the beneficiaries, whose names were not included and the names of ineligible candidates, whose names alleged to have been included. Therefore, if the petitioner mentions the name of those candidates, necessary action will be taken in accordance with law.

5. We accept the above statement of the first respondent. If the petitioner makes specific allegation that ineligible candidates have been granted the benefit of house allotment under the above Scheme, it is open to him to make a representation afresh mentioning the name of those ineligible candidates to the authority concerned for necessary action. If any such representation is received, the same shall be considered by the authority concerned in accordance with law as expeditiously as possible.



WEB COPY

W.P.(MD) No.12250 of 2016

6. Accordingly, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.]

[M.S.K., J.]

10.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

- 1.The Principal Secretary,
Panchayat Raj Rural Development,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai.
- 2.The District Collector,
Office of the District Collector,
Tirunelveli District.
- 3.The Project Director,
District Panchayat Development,
Tirunelveli District.
- 4.The Block Development Officer,
(Village Panchayat),
Office of the Block Development Officer,
Radhapuram Panchayat Union,
Tirunelveli District.



W.P.(MD) No.12250 of 2016

WEB COPY

5.The President,
Samugarengapuram Village Panchayat,
Radhapuram Taluk,
Tirunelveli District.



WEB COPY



W.P.(MD) No.12250 of 2016

D.KRISHNAKUMAR, J.
and
MUMMINENI SUDHEER KUMAR, J.

krk

W.P.(MD) No.12250 of 2016
and
W.M.P.(MD) No.9339 of 2016 & 12539
& 12540 of 2017

10.01.2024