



WP(MD). No.4242 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 25/03/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.4242 of 2025

Subramanian

... Petitioner

Vs

1. The Director,
Rural Development and Panchayat Raj,
Panagal Building,
Chennai - 600 015..

2. The Chairman Cum District Collector,
District Collector Office,
Pudukkottai District..

3. The Assistant Director (Panchayats),
District Collector Office,
Pudukkottai District..

4. The Block Development Officer,
Avudaiyarkoil,
Pudukkottai District - 614618..

5. M/s.Ram Enterprises,
Represented by its Managing Director,
Ram Kumar,

... Respondents



WP(MD). No.4242 of 2025

WEB COPY

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the official respondents to

a) Initiate an immediate investigation into the delay and non-performance of the project, terminate the contract awarded, recover the advance payment disbursed and to completion of the project by another contractor,

b) and to direct the State Government and Vigilance Department to conduct a thorough audit of all payments made and to verify whether similar irregularities exist in other projects,

c) and to blacklist the company from future government contracts and initiate legal action for financial misappropriation and breach of contract to the 5th Respondent M/s.Ram Enterprises represented by its Managing Director Ramkumar located at 4/29 Kulathur Thiyathur, Avudaiyarkoil Taluk, Pudukottai District on the basis of the petitioner's RTI dated 28.08.2024.

For Petitioner : Mr.S.Sylvester Raj
For Respondents : Mr.P.Thilak Kumar for R1 to R4
Government Pleader

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The writ petition has been filed directing the official respondents to initiate legal action for financial misappropriation and breach of



WP(MD). No.4242 of 2025

contract to the 5th respondent, based on the petitioner's RTI letter dated 28.08.2024.

2. It is the case of the petitioner that the 5th respondent was allotted with certain works in Thiyathur and adjacent Villages and work order has also been issued. Through RTI Act, the petitioner has obtained details as to the commencement and completion of work allotted to the 5th respondent. Since no work has been commenced and completed, he has sought for an action taken report against the 5th respondent. However, from the report, it is seen that the work has not been commenced and completed and hence, the petitioner has filed this writ petition styled it as a public interest litigation.

3. We have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

4. When the writ petition was taken up for hearing, the learned Government Pleader has filed a counter affidavit, in which, in Paragraph No.9, it has been stated as follows:



WEB COPY



WP(MD). No.4242 of 2025

“9. I respectfully submit that, while this being so, with respect to the act of disbursing advance amount for Government Work contrary to the regulations, the 2nd Respondent by his proceedings in Post Na.Ka.P1/5789/2022 (Development)-8 dt.22.02.2023 had issued charge memo under Rule- 17(b) of the Tamil Nadu Civil Service (Disciplinary & Appeal) Act against one Thangam, Assistant Engineer, Avudaiyarkoil Panchayath Union, one K.Singaram, Junior Engineer, Avudaiyarkoil Panchayath Union, and one Periyasamy, Block Development Officer, Avudaiyarkoil Panchayath Union, and is pending.”

5. From the counter affidavit, it is seen that action has been initiated against the 5th respondent. Therefore, by recording the said submission, the writ petition is disposed of. However, the 4th respondent shall ensure that the proceedings initiated reaches its logical conclusion within six months from the date of receipt of a copy of this order. No costs.

[J.N.B.,J]

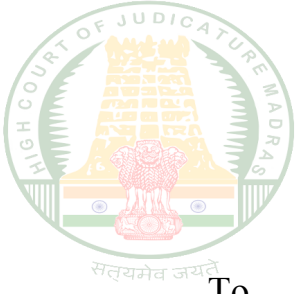
[S.S.Y.,J]

25.03.2025

NCC : Yes/No

Index : Yes/No

RR



WP(MD). No.4242 of 2025

To

1. The Director,
Rural Development and Panchayat Raj,
Panagal Building,
Chennai - 600 015..
2. The Chairman Cum District Collector,
District Collector Office,
Pudukkottai District..
3. The Assistant Director (Panchayats),
District Collector Office,
Pudukkottai District..
4. The Block Development Officer,
Avudaiyarkoil,
Pudukkottai District - 614618..



WEB COPY



WP(MD). No.4242 of 2025

J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WP(MD) No.4242 of 2025

Date : 25/03/2025