

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.353 of 2010

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ORDER :

This writ petition is filed seeking to issue a writ of *Mandamus* to declare the action of the 3rd and 4th respondents in not considering the plea of the petitioners and allotting the works other than to the Gram Panchayats without following the instructions levelled in G.O.Ms.No.37, dated 18-02-2005 as illegal and arbitrary and consequently direct the 3rd and 4th respondents to allot the works in accordance with G.O.Ms.No.37, dated 18-02-2005 and the directions of this Court in W.P.No.9215 of 2007 and batch dated 27-07-2007.

2. The main grievance of the petitioner is that as per G.O.Ms. No.37, dated 18-02-2005, the works with an upper limit of Rs.5,00,000/- shall be allotted to the Habitation Works Committee formed by the Gram Panchayat, whereas Mandal Parishad Development Officers and the Assistant Engineers in some districts started entrusting such works to Self Help Groups and private agencies despite the existence of the Habitation Works Committee formed by the Gram Panchayat. The

2nd respondent recently issued sanctions for restoration of flood damaged works of PRI Gadwal and PIU, Narayanpet Divisions and though the damaged estimate cost for the

works in petitioner's gram panchayat is less than Rs.5,00,000/-, the works which were listed by the 2nd respondent were being allotted to the Self Help Groups and Private Agencies erroneously by the 3rd and 4th respondents.

3. The 04th Respondent filed counter stating that the G.O.Ms.No.37, dated 18-02-2005 on which the petitioner placed reliance pertains to implementation of food for work programme, but not otherwise. Therefore, the entrustment of the FDR works as per G.O.Ms.No.37, dated 18-02-2005 does not arise.

4. In any event, considering the rival contentions, this Writ Petition is disposed of directing the petitioner to give a representation to the concerned authority for allotment of work placing reliance on the G.Os. on which the petitioner wants to canvass before the authority concerned and on such representation, the authority concerned is directed to consider the same and allot the work subject to entitlement as per the G.Os. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

29th January, 2015

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