

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.30390 of 2010

ORDER:

1. This writ petition is filed seeking to declare the action of the 1st respondent in not preventing the 4th respondent from completing the panchayat Works in the 3rd respondent-panchayat without issuing tender notification as arbitrary and illegal and consequently, to direct the respondents to issue tender notification for all the Panchayat Works in the 3rd respondent-Panchayat and further, direct the 1st respondent to take action on the 4th respondent.

2. It is averred in the affidavit that the 4th respondent has issued a short tender notification, published in Visalandhra Daily Newspaper on 27.11.2009, calling for tenders worth Rs.4.00 lakhs fixing the last date as 30.11.2009. No one was aware of the said tender till 30.11.2009. On coming to know about the said tender notification, one G. Jagadeeswara Rao, Civil contractor reported to the 1st respondent requesting to cancel the said tender. The 1st respondent cancelled the said tender notification issued by the 4th respondent and directed the 2nd respondent to submit a report. In pursuance of the said instructions of the 1st respondent, the 2nd respondent directed the 3rd respondent to submit a report in the matter. The 3rd respondent reported that the said tender notification was issued by the 4th respondent and the same was cancelled and until further notification, no further works would be taken up. While so, the 4th respondent-Sarpanch has got the works worth more than Rs.12 lakhs completed on binamee names. In spite of several representations, no action was taken against the 4th respondent. The 4th respondent has been carrying out all the works including civil works in Jami Grampanchayat according to her whims

and fancies without calling for tenders.

3. When the matter has come up for hearing, the learned Counsel for the 4th respondent submitted that the works have already been completed and nothing survives for adjudication in this writ petition. But the learned Counsel for the petitioner has opposed the same.

4. Recording the submission made by the learned Counsel for the 4th respondent, the writ petition is disposed of with the following direction:

“If the works are not completed, the respondents are directed to execute the works in Jami Gram Panchayat, by way of calling for tenders. If the works have already been completed, there is no need to pass any orders in this writ petition.”

No order as to costs. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Dated: 24th February, 2015

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