

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Writ Petition No. 17737 of 2012

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ORDER :

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This writ petition is filed seeking writ of mandamus directing the respondents to release the rice due under the agreement dated 07.10.2002 to the petitioner society.

2. The petitioner is a Sri Saibaba Vaddi Uppara Sankshema Sangam. It has entered into an agreement with the 2nd respondent on 07.10.2002 for forming and gravelling the road at Padala Pedacheruvupunta Road at the estimated cost of Rs.2,00,000/- on nomination basis. The 2nd respondent had informed the petitioner that as per the Government instructions, 10 kgs of rice would be provided to each labourer under labour component. The work was allotted under the matching grant viz., 30% cash and 70% rice to the labour. The petitioner has completed the work within the stipulated time and the completion of the work has been recorded in the M.Book in accordance with the procedure. That Rs.60,000/- was paid to the petitioner representing the 30% of the cash grant, after deducting the Income Tax and insurance etc., and in respect of the 70% viz., rice to the labour, the respondents have not cleared the same. Though the petitioner requested the respondents for release of the rice by representation dated 02.02.2011 the same has not been released sofar. Aggrieved by the same, the present writ petition is filed.

3. Heard Smt. I.Maamu Vani, learned counsel for the petitioner, learned Government Pleader for Revenue appearing for the respondents 1, 2 and 4 and learned Government Pleader for Panchayat Raj, appearing for the 3rd respondent.

4. Having regard to the facts and circumstances of the case, it is to be seen that the respondents have not passed any orders on the representation filed by the petitioner on 02.02.2011. Learned counsel for the petitioner submits that in similar circumstances this Court passed orders dated 05.12.2008 in

W.P.No.8650 of 2005 directing the respondents to release the rice or its value payable to the petitioners as per the conditions of the agreement dated 02.07.2002 therein. The facts in the aforesaid judgment and in the present case are almost similar. When once the petitioner herein had executed the work as per the agreement dated 07.10.2002 and Rice Release Order had also been issued by the 4th respondent for release of the rice, the respondents are bound to release the rice as per the agreement dated 07.10.2002.

In view of above, this writ petition is disposed of directing the respondents to consider the representation of the petitioner dated 02.02.2011 pass orders for release the rice or its value payable to the petitioner as per the conditions of the agreement dated 07.10.2002 within a period of eight weeks from the date of receipt of a copy of this order.

There shall be no order as to costs. As a sequel thereto, miscellaneous applications, if any pending in this Writ Petition, shall stand dismissed.

_____ **A.RAJASHEKER REDDY, J**

30.10.2015.

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HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

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Date: 30-10-2015

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