

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION Nos. 29028, 35984, 36777, 35992, 40768, 40831 OF
2014 & 1371, 1381 OF 2015

COMMON ORDER:

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The grievance of the petitioners in all these writ petitions is that they are the eligible members for allotment of works as per G.O.Ms.No.30 (MA) dated 18.06.2000. But the respondents have called tenders for allotments of the works to the new members.

Though this Court granted interim orders directing the respondents to continue the members of the petitioner society in some cases, the tenders were already called for. Further during the pendency of W.P.Nos.40768 and 40831 of 2014, Kurnool Municipal Corporation vide order dated 28.01.2015 has withdrawn its proceedings dated 03.12.2014 stating that the interim orders passed by this Court have become infructuous as the works have already been allotted to the successful tenderers before filing of the writ petition itself.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondent Corporation.

Learned counsel appearing for the 5th respondent in W.P.Nos. 35984, 35992, 40768 and 40831 of 2014 states that they will follow G.O.Ms.No.30 dated 18.06.2000 by following Rule (3)(2) of Municipalities Tender Rules, 1967 (for short 'the Rules') which is incorporated vide G.O.Ms.No.477, dated 28.08.1989. The said G.O.Ms.No.477 dated 28.08.1989 reads as follow:

"Atleast 15% of the works may be reserved for entrustment to the Labour Contract Co-operative Societies formed of Scheduled Castes, Scheduled Tribes and Wadders and the individuals belonging to the said communities who happen to be unemployed or retrenched engineers".

Learned Standing counsel for the respondent-Corporation states that they have no objection if the procedure as contemplated under

Municipalities Tender Rules, 1967 is followed.

In view of the submissions made by the learned Standing counsel for respondent-Corporation, these writ petitions are disposed of directing the respondents to follow G.O.Ms.No.30, dated 18.01.2000 and also Rule (3)(2) of Municipalities Tender Rules, 1967 in G.O.Ms.No.620, Municipal administration dated 07.10.1967 as amended by G.O.Ms.No.477 dated 28.08.1989.

The respondent Corporation shall allot works to the eligible members strictly in accordance with G.O.Ms.No.30 dated 18.01.2000. Since it is stated that the 5th respondent has already allotted the works to the successful tenderers, their interest shall be protected. Though, it is stated that some of the petitioners have not qualified as per G.O.Ms.No.30 dated 18.01.2000, the same has to be verified by the respondent-Corporation while allotting the works.

The respondent corporation should complete the entire exercise within a period of four (4) weeks from the date of receipt of copy of this order. Till such time, petitioners shall be continued.

With the above direction, these writ petitions are disposed of. There shall be no order as to costs. As a sequel, miscellaneous petitions pending shall stand closed.

A.RAJASHEKER REDDY,J

Date: 19.02.2015

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