

THE HONOURABLE SRI JUSTICE RAJA ELANGO
WRIT PETITION Nos.29851, 29880 & 29902 OF 2016

COMMON ORDER:

These writ petitions, under Article 226 of the Constitution of India, are filed seeking to issue a writ, order or direction, more particularly, one in the nature of writ of *Mandamus* to declare the acts, deeds and things of respondent Nos.2 and 3 in not allocating the budgets/grants for works executed by the petitioners as illegal and arbitrary.

2. Since the issue involved in all these writ petitions is one and the same, they are being disposed of by way of this common order.

3. Heard and perused the record.

4. The main grievance of the petitioners is these writ petitions is even after completion of the works entrusted to them i.e., repair works to the Government High School buildings in Khammam District, respondent No.3 is not paying the amounts for the bills submitted by them. Hence, they pray this Court to give a direction to respondent No.3 to pay the amounts for the works completed by them as expeditiously as possible.

5. Learned Government Pleader for Social and Tribal Welfare appearing for respondent Nos.1 to 3 produced written instructions of respondent No.3 wherein it is stated as follows:

“..... At this juncture, the Chief Engineer, Tribal Welfare, Hyderabad has directed to approach the Director of School Education for releasing of required funds of Rs.43.83 Lakhs vide reference 5th cited. As per the directions of the

Chief Engineer, Tribal Welfare, Hyderabad, I have personally went to the Commissioner and Director of School Education, Hyderabad and requested to release the funds immediately. But no funds received by this office till to date.....”

From the above instructions, it is evident that on receipt of the funds, respondent No.3 intends to pay the amounts to the petitioners as per the bills claimed by them.

6. Considering the fact that the execution of works by the petitioners and the payments to be made to them are not in dispute, respondent No.3 is directed to pay the said amounts to the petitioners within a period of three (3) months from the date of receipt of a copy of this order. If respondent No.3 fails to pay the said amount within the stipulated time, the petitioners are at liberty to approach the appropriate authority for releasing of the funds.

7. Accordingly, all the Writ Petitions are disposed of. There shall be no order as to costs.

8. Miscellaneous Petitions, if any, pending in these Writ Petitions shall stand closed.

JUSTICE RAJA ELANGO

20.10.2016
AMD

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Date: 20.10.2016

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