

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

WRIT PETITION No.34049 of 2016

ORDER:

1 This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus to declare the inaction of the respondent Nos.2 to 5 in disposing of the representations of the petitioner dated 08.09.2016 and 19.09.2016 as illegal and arbitrary.

2 Heard Sri O.Manohar Reddy, the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

3 It is the case of the petitioner that it has been carrying on contract works as Special Clause I Contractor and the 6th respondent is also a Special Clause I Contractor. The fifth respondent issued a tender notification for formation of road from Krishnagiri PR Road to Seetharampuram Via Mangampeta M.Thanda of Owk Mandal, Kurnool District. The petitioner as well as the sixth respondent submitted their respective tenders. As per the terms and conditions of the tender notice, one has to disclose the ongoing works in the tender form. It is the case of the petitioner that the sixth respondent has not disclosed its ongoing work in tender form. Whether the sixth respondent has disclosed or not about its ongoing works in the tender form is purely a disputed question of fact, which cannot be gone into by this Court while exercising jurisdiction under Article 226 of the Constitution of India.

4 A perusal of the record further reveals that the petitioner submitted a representation to the respondent Nos.2 to 5 on 08.09.2016 and 19.09.2016. For one reason or the other, the respondents have not disposed of those representations submitted by the petitioner.

5 At the time of arguments, the only request made by the learned counsel for the petitioner is to direct the respondent Nos.2 to 5 to dispose of the representations submitted by the petitioner on 08.09.2016 and 19.09.2016 as expeditiously as possible. The learned Government Pleader for Panchayat Raj also consented for the same.

6 In view of the submissions made by both counsel, this Court is not inclined to go into the merits of the case.

7 Having regard to the facts and circumstances of the case and the submissions made by both counsel, the respondent Nos.2 to 5 are hereby directed to consider and dispose of the representations made by the petitioner on 08.09.2016 and 19.09.2016 as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order.

8 With the above direction, this writ petition is disposed of.
As a sequel, miscellaneous petitions pending in this writ
petition, if any, shall stand closed.

T. SUNIL CHOWDARY, J

Date: 30.09.2016

Kysn

