

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10207 of 2016

ORDER:

Heard Sri Vedula Srinivas, learned counsel for the petitioner, and Sri S.D. Gowd, learned Standing Counsel for the respondent Corporation.

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit it is therefore prayed that this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or orders, Direction or Directions to direct the respondent to act in accordance with law and to direct the respondent to consider and pass appropriate orders in respect of the amounts due to the petitioner being the amounts in the nature of EMD and FSD in respect of the works executed by the petitioner during the period 1999 – 2000 to 2010 – 2011, and pass such other order or orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

The petitioner addressed legal notice dated 09.02.2016 to the Commissioner, Kurnool Municipal Corporation, Kurnool, setting out the specific amounts withheld from his bill amounts in relation to each year from 1999-2000 to 2010-2011.

Sri Vedula Srinivas, learned counsel, states that no action has been taken on the afore-stated legal notice.

As the Corporation is yet to apply its mind to the said legal notice, this Court need not entertain this writ petition at this stage for adjudication on merits.

The writ petition is accordingly disposed of directing the respondent Corporation to consider the petitioner’s legal notice dated 09.02.2016 and take appropriate action thereon in accordance with law. In the event the request of the petitioner for release of any of the withheld amounts is refused, the reasons therefor shall be recorded and communicated to the petitioner. This entire exercise shall be

completed expeditiously and in any event, not later than three weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

29.03.2016

GJ