

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.2393 OF 2009

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st Respondent in not paying the catering charges as per the existing G.O.Ms.No.142, of Social Welfare (EDN.2) Department, dt. 15-7-2008 as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to pay the catering charges as per the existing G.O.Ms.No.142 of Social Welfare (EDN.2) Department dt. 15-7-2008 @ Rs.617/- per boarder and pass such other order or orders as the Hon'ble Court deems fit and proper under the circumstances of the case.”

2. Heard the learned counsel appearing for the petitioner and learned Government Pleader appearing for the respondents.

3. This Court, while ordering '*Rule Nisi*' on 11.02.2009, granted interim direction in W.P.M.P.No.3046 of 2009, directing the respondents to consider the representations dated 23.09.2008 and 13.10.2008 purported to have been filed by the petitioner and pass appropriate orders as per law,

within a period of four weeks from the date of receipt of a copy of the order.

4. When the matter is called, it is represented by the learned Government Pleader that in terms of the said interim order, the 1st respondent herein, vide order in Rc.No.G1/P/2525/2008, dated 24.03.2009, rejected the request of the petitioner. The said subsequent order is not under challenge. In the absence of any challenge as to the above order dated 24.03.2009, the relief as sought in the writ petition cannot be granted now.

5. Accordingly, writ petition is dismissed. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

21.11.2016
SS

A.V.SESHA SAI, J