

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Public Interest Litigation No.147 of 2015

Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The relief sought for in this writ petition is to declare the inaction of respondent Nos. 1 to 3, in recovering Rs.68,20,500/- with interest from the 4th respondent-society, as arbitrary and illegal.

Sri C.Kumar, learned counsel for the petitioner, would submit that the amounts due from the 4th respondent includes amounts payable by them for several services rendered by the Government. He would also draw attention of this Court to the counter affidavit, filed on behalf of respondent Nos. 1 to 3, that no exemption has been granted to the 4th respondent-society from payment of the outstanding amount.

It is wholly unnecessary for us to dwell on this aspect any further, as the Learned Government Pleader for Home has placed before us a copy of the memo dated 29.11.2016 issued by the Government of Telangana recording the directions issued by this Court on 22.11.2016; and, thereafter, directing the 4th respondent to clear the outstanding charges of Rs.80,14,000/-, for the period from 2011 to 2016, by remitting it to the Government head of account over a period of six months in six instalments, with the first instalment to be paid on 30.12.2016.

Sri D. Prakash Reddy, learned Senior Counsel appearing on behalf of the 4th respondent-society, would submit that, in terms of the aforesaid memo, the 4th respondent has already paid the first of the six monthly instalments; while the 4th respondent has requested the Government to grant them concession with regards such payment, the 4th respondent, shall, till the Government passes an order granting them concession, continue to pay the aforesaid amount of Rs.80,14,000/- in terms of the instalments stipulated in the Government Memo dated 29.11.2016.

In view of the aforesaid submission of Sri D. Prakash Reddy, learned Senior Counsel, we consider it appropriate to dispose of the writ petition directing that the amounts due from the 4th respondent of Rs.80,14,000/-, shall be paid by them to the Government in accordance with the Government Memo dated 29.11.2016. This order shall, however, not preclude the 4th respondent from requesting the Government to consider granting them concession in repayment of the amount, and for the Government to consider any such request in accordance with law. Needless to state that till the Government takes a decision, and passes an order granting them concession, the 4th respondent shall continue to make payment in terms of the Government Memo dated 29.11.2016 within the time stipulated therein.

The writ petition is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.



(RAMESH RANGANATHAN, ACJ)

(Dr. SHAMEEM AKTHER, J)

17th January, 2017

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Date: 17.1.2017

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