

**HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**

**Writ Petition No.7319 of 2011**

**ORDER:**

The relief sought for in this Writ Petition is for a writ of mandamus to declare the action of the respondents, in not issuing work order to the petitioner pursuant to the proceedings of the District Collector and Magistrate, Ongole, Prakasam District dated 22.07.2010, as arbitrary, illegal and without jurisdiction.

By order in W.P.M.P.No.9588 of 2011 dated 31.03.2011, the Executive Engineer (RWS), Rural Water Supply Department, Ongole, Prakasam District-2<sup>nd</sup> respondent was directed to issue the work order in favour of the Sarpanch of the Gram Panchayat.

In the counter-affidavit, filed by the Executive Engineer-2<sup>nd</sup> respondent, it is stated that the Gram Panchayat's resolution was received on 12.08.2010; the Deputy Executive Engineer, Sub-Division, Ongole was instructed to submit details in respect of the sanctioned works; estimates were submitted on 01.09.2010; the Deputy Executive Engineer was requested, by letter dated 02.09.2010, to resubmit the estimates; an agreement was entered into on 27.04.2011 for both the works; and the works are under progress.

As an agreement has already been entered into on 27.04.2011, and the works were said to be under progress when the counter-affidavit was filed on 10.06.2011 more than six years ago, the subject work must have been completed by now. It is evident that the cause in the Writ Petition does not survive necessitating any further adjudication by this Court; and the Writ Petition has become infructuous.

The Writ Petition is, accordingly, dismissed as infructuous.  
The Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

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**RAMESH RANGANATHAN, ACJ.**

Date:22.12.2017.  
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