

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.38115 of 2017

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent Nos.4 & 5 in not releasing the money by clearing the bills towards the token Nos.220 & 223, dated 15-04-2017, token No.686, dated 30-04-2017 and token No.1545, dated 19-06-2017, as arbitrary, illegal, contrary to law, unjust, colourable exercise of power and violation of Articles 14 & 21 of Constitution of India and consequently direct the respondents to initiate action against the erring officials for not releasing the amount to the petitioner and further direct the respondents 4 and 5 to release the money by clearing the bills towards the token Nos.220 & 223, dated 15-04-2017, token No.686, dated 30-04-2017 and token No.1545, dated 19-06-2017 and to pass such other order or orders may deem fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *P. Subash*, learned counsel appearing for the petitioner, the learned Government Pleader for Roads and Buildings appearing for the 1st respondent, the learned Government Pleader for GAD appearing for the 2nd respondent, and of the learned Government Pleader for Finance appearing for the respondents 3 to 5. I have perused the material record.

3. At the hearing, learned Government Pleader for Finance appearing for the respondents 3 to 5 would submit that as per comprehensive budget proposals, the respondents are taking steps to make the payment to the petitioner within a period of three (03) weeks.

4. In that view of the matter, learned counsel appearing for the petitioner would submit that the submission made by the learned Government Pleader for Finance may be recorded and the writ petition may be disposed of accordingly.

5. Recording the submissions, the Writ Petition is disposed of granting time of three (03) weeks to the respondents to pay the amount due and payable to the petitioner without fail.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE M. SEETHARAMA MURTI

Date: 5th December, 2017

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