

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.14186 of 2009

ORDER:

This Writ Petition is filed seeking 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 respondents in withholding and deducting 0.25% of the gross bill amounts payable to the petitioner by referring to G.O.Ms.No.98, I & CAD Department, dated 05.07.2000, G.O.Ms.No.61 TR & B Department, dated 11.04.2000 and G.O.Ms.No.159, TR & B Department, dated 30.10.2004, which were set-aside by this Hon'ble court, as illegal and unconstitutional and consequently direct the respondent not recover .025% of amount from the gross bills payable to the petitioner for the works carried out by the petitioner and pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

At the time of hearing, it is submitted by the learned Government Pleader for Finance and Planning that the issue involved in this case is squarely covered by the judgment of this Court in W.P.No.23976 of 2008 and Batch, dated 12.11.2008, and further the said judgment was upheld by the Division Bench of this Court, in W.A.No.279 of 2009 and batch, dated 28.06.2011.

Recording the submission made by the learned Government Pleader as well as the learned standing counsel for the Municipal Corporation, the Writ Petition is allowed, in terms of the judgment of this Court, passed by the learned single Judge, in W.P.No.23976 of 2008 and Batch, dated 12.11.2008. No costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J.

Date: 28.09.2018

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