

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.23610 of 2011

ORDER:

The relief sought for in this Writ Petition is for a mandamus to declare the inaction of the respondents in paying the balance amount, in respect of the works executed by the petitioner under the National Rural Employment Guarantee Scheme AP, despite a legal notice dated 24.06.2011 being issued, as arbitrary and illegal.

Claim of amounts, allegedly due under a non-statutory contract, would, ordinarily, not be examined in proceedings under Article 226 of the Constitution of India as these are all matters for examination in duly constituted proceedings before the Civil Court of competent jurisdiction.

Leaving it open to the petitioner to avail his common law remedy of filing a Civil Suit, the Writ Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 13.04.2018

MRKR

