

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.18667 OF 2013

ORDER:

In this writ petition the petitioner seeks a direction to the respondents 1, 3 and 4 to record the works executed by the petitioner in Measurement Book with consequential benefits.

According to the petitioner, the 2nd respondent vide proceedings in R.C.No.699/RVM/09, dated 20.06.2009 issued orders for construction of 3 additional class rooms. The petitioner being the Chairman of the school committee, constructed additional class rooms by using steel of 7316.55 kgs. and the same was not properly recorded in the measurement book by the engineers and as a result, the actual bill paid was only for 6400 kgs. of steel. Though he submitted a representation dated 24.09.2012, the 1st respondent has issued proceedings dated 08.10.2012 whereby the petitioner was informed that in accordance with the measurement book submitted by the officials in Engineering Wing of Rajiv Vidya Mission, the bill amount was released. However, it is the grievance of the petitioner that the 1st respondent has not redressed his actual grievance regarding failure on the part of the engineering officials in recording the actual work executed by the petitioner in the measurement book.

Considering the facts and circumstances of the case, it is to be seen that all the allegations levelled by the petitioner relate to the construction works executed by him. This Court sitting under Article 226 of Constitution of India cannot go into the disputed questions of fact sought to be adjudicated by the

petitioner. The petitioner has effective alternative remedy to approach the civil Court for adjudication of his claim for recovery of money for the works executed by him. At this juncture, it is represented by the learned counsel for the petitioner that the petitioner has again submitted a representation dated 25.12.2012 to the 2nd respondent seeking redressal of his grievance.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider the representation said to be submitted by the petitioner dated 25.12.2012 and pass appropriate orders in accordance with law, as expeditiously as possible. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

T. AMARNATH GOUD, J

21st DECEMBER 2018.
Tsr

