

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.9570 OF 2019

ORDER:

It is a case where petitioner challenges the disposal of the representation dated 14.11.2018.

The case of the petitioner is that petitioner was the President of SRSP-Water Users Association No.8, Pembi during the period 2006-2008. While so, the petitioner received a demand notice dated 12.02.2008 from the Income Tax Department directing the petitioner to pay a sum of Rs.7,20,410/- as overdue for the period 2009-10. It is the assertion of the petitioner that petitioner was not the President during the said period and one Basa Ravindar was the President and said to have drawn a sum of Rs.2,00,00,000/- from the Government. As a matter of fact, the petitioner asserts that petitioner is entitled to receive a sum of Rs.35,00,000/- in respect of the works executed by him during the period 2009-10.

In those circumstances, the petitioner made a representation on 14.11.2018 requesting the respondent authorities to enquire into the mis-utilisation of the funds i.e.Rs.2,00,00,000/- sanctioned by the Government. However, the respondent authorities have not taken any steps to enquire into the affairs of the Water Users Association for the period 2009-10.

Learned Government Pleader appearing for respondents raised objection with regard to the maintainability of the writ petition.

Having regard to the respective submissions of both the parties, at the outset, the writ petition of this nature cannot be entertained. No order as such can be granted based on the vague allegations of the petitioner made through a representation dated 14.11.2018, without there being any details. If the petitioner is really interested in questioning the utilization of the funds sanctioned by the Government alleged to have been mis-utilised by one Basa Ravindar, petitioner ought to have invoked the provisions of Right to Information Act and would have sought appropriate information with regard to details of the money sanctioned, money utilized and works executed. Thereafter, basing on the material available on record, if the petitioner comes to a definite conclusion, the petitioner is at liberty to approach the authorities by pointing out the details seeking further enquiry to be conducted. Such exercise having not been done by the petitioner and after a period of 9 years, petitioner by simply dropping a representation cannot invoke the writ jurisdiction seeking a direction to the respondent authorities to conduct a roving enquiry.

In those circumstances, the writ petition does not deserve any consideration. Accordingly, the same is dismissed. No order as to costs.

Miscellaneous petitions pending in the writ petition, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 30.04.2019.
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THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM



WRIT PETITION No.9697 OF 2019

Dated : 30.04.2019

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