

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 32103 OF 2022

Between:

M/S.Vesture Softech Private Limited, represented by its Managing Director
A.Hanumaiah, S/o. China Venkata Subbaiah, aged about 60 years, Occ
Business, R/o. Flat No.301,Sita Anisha Residency, Laxmi Nagar Colony,
Mehidpatanam, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, represented by its Principal Secretary, Municipal Administration and Urban Development, having office at Secretariat, Hyderabad.
2. The Chief Electoral Officer, G.A.(Election) Department, Govt of Telangana, Buddha Bhavan, 5th Floor, North Block, Secunderabad.
3. District Collector, Medchal Malkajgiri District.
4. Commissioner, GHMC, having office at Tank Bund Road, Hyderabad.
5. Deputy Commissioner, Circle No.23, Moosapet, GHMC, Hyderabad.
6. Deputy Commissioner, Circle No.2, Uppal, GHMC, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ or order more particularly in the nature of Mandamus thereby declaring the action of the respondents herein in not releasing the amount of Rs.43,62,462/- to the petitioner as illegal, arbitrary and consequently direct the respondents herein to release the amount forthwith to the petitioner in the interest of justice.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent officials to release the amount of Rs.43,62,462/- to the petitioner forthwith in the interest of justice.

Counsel for the Petitioner:SRI. N. PRASHANT

Counsel for the Respondent NO.1: GP FOR MUNICIPAL ADMN URBAN DEV

Counsel for the Respondent NO.2:SRI P.SUDHEER RAO (SC FOR ELECTION COMMISSION)

Counsel for the Respondent NO.3:ASST. GP FOR REVENUE

Counsel for the Respondent NO's. 4 to 6:SRI. SAMPATH PRABHAKAR REDDY(SC FOR GHMC)

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.32103 of 2022

ORDER

This writ petition is filed with the following prayer:

"to issue Writ or order more particularly in the nature of Mandamus thereby declaring the action of the respondents herein in not releasing the amount of Rs.43,82,462/- to the petitioner as illegal, arbitrary and consequently direct the respondents herein to release the amount forthwith to the petitioner in the interest of justice".

2. Learned counsel for the petitioner Mr. N. Prashanth submits that the petitioner has executed the work for the purpose of conducting the program of Door to Door Enumeration, Downloading and Printing of Electoral Rolls in Special Summery Revision of Electoral Rolls, for the year 2017-2018 by engaging required resources and the said work has been allotted to it vide proceedings dated 02.08.2018. He submits that as per the work order, the petitioner has completed the work at Uppal Assembly for the period from 10.09.2018 to 09.10.2018 and it has spent an amount of Rs.13,20,012/- for one work and an amount of Rs.12,10,011/- for another work. He further submits that the petitioner has submitted two invoices separately before the respondent officials on 11.02.2020 for the total amount of Rs.25,30,023/- and for the other work pertains to Kukatpally Assembly Constituency, petitioner has raised invoices for an amount of Rs.9,80,017/-. He submits that respondent No.6 has addressed a letter to respondent No.3 with a request to accord approval for payment of an amount of Rs.25,30,023/- in favour of the petitioner and another letter was addressed on

15.02.2020 to accord approval for payment of Rs.18,32,439/-. Learned counsel further submits that the petitioner herein has addressed several letters to the respondents to release the amount and thereafter, the District Election Officer & Collector (FAC), Medchal-Malkajgiri District, has written a letter to the Chief Electoral Officer, in the month of May, 2021 to release the amount of Rs.43,62,462/- in favour of the petitioner to clear the bills and he has also addressed a letter to the Electoral Registration Officers on 06-09-2020 and to the District Election Officer and Collector, Medchal-Malkajgiri District, informing that the petitioner has successfully completed the work in time under the supervision and satisfactory. He submits that though the petitioner has completed the entire work in the year 2018 itself, the respondents have failed to release the amounts.

3. Learned Assistant Government Pleader for Revenue, appearing for respondent No.3, submits that on 02-11-2021, the Collector has also addressed a letter to the Chief Electoral Officer to clear those payments as the petitioner is frequently approaching the office for payment.

4. The material that is placed before this Court reveals that there is no dispute about the commencement of the work and completion of the work and the proceedings issued by the District Collector shows that the petitioner has completed the work and he has requested the Chief Electoral Officer to clear the said amount of Rs.43,62,462/-. When the

petitioner has completed the work in 2018-19, now it appears that except addressing a letter from the Collector to the Chief Electoral Officer, nothing has been done and the petitioner is made to run from the pillar to post after successfully completing the work.

5. In the facts and circumstances, respondent No.2 shall act upon the letter addressed by the District Election Officer and Collector (FAC) dated 12-05-2021 and 02-11-2021 and shall clear the said outstanding bills of the petitioner within a period of three months from the date of receipt of a copy of this order. No order as to costs.

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

SD/-P.PADMANABAHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development, State of Telangana, having office at Secretariat, Hyderabad.
2. The Chief Electoral Officer, G.A. (Election) Department, Govt of Telangana, Buddha Bhavan, 5th Floor, North Block, Secunderabad.
3. The District Collector, Medchal Malkajgiri District.
4. The Commissioner, GHMC, having office at Tank Bund Road, Hyderabad.
5. The Deputy Commissioner, Circle No.23, Moosapet, GHMC, Hyderabad.
6. The Deputy Commissioner, Circle No.2, Uppal, GHMC, Hyderabad.
7. One CC to SRI. N. PRASHANT Advocate [OPUC]
8. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
9. One CC to SRI P.SUDHEER RAO (SC FOR ELECTION COMMISSION), Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court for the State of Telangana. [OUT]
11. One CC to SRI. SAMPATH PRABHAKAR REDDY (SC FOR GHMC), Advocate [OPUC]
12. Two CD Copies.
13. One Spare Copy.

GB
SB

HIGH COURT

DATED:20/09/2022

ORDER

WP.No.32103 of 2022



DISPOSING OF THE WP
WITHOUT COSTS.

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22/09/2022