

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION No.11884 of 2023

ORDER:

This Writ Petition is filed by the petitioner, under Article 226 of the Constitution of India, 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 not releasing the amount of Rs.1,87,807/- to the Petitioner which is MGNREGS, SDF and G.P 14th Finance funds towards cost for the material supplied by the Petitioner for the works 1) CC Road from Sannapaneni Venkateswarlu House to Venkata Subbaiah house and from Avula Venkata Krishnaiah house to Sannapaneni Narasaiah house at Ramannagaripalli Village, Madannagaripalli Gram Panchayat, Kaluvai Mandal S P S R Nellore District 2) Providing internal CC roads at Yadavapalem of Ramannagaripalli Village, Madannagaripalli Gram Panchayat, Kaluvai Mandal S P S R Nellore District 3) Providing CC road from Valluru Gopal house to M.P.P School at Madannagaripalli Village, Kaluvai Mandal, S P S R Nellore District 4) Providing CC road from Anjaneyaswamy Temple to Amrutuluri Danamma house at Madannagaripalli Village, Kaluvai Mandal, S P S R Nellore District is arbitrary, illegal, without Jurisdiction and consequently direct the Respondents to pay the above said amount to the Petitioner and pass pass such other order or orders....”

2. Heard Sri Ch.C.Krishna Reddy, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj, learned Government Pleader for Finance & Planning, Sri N.Harinath, learned Deputy Solicitor General of India and Sri G.Venkata Reddy, learned standing counsel for Gram Panchayat.

3. Learned Government Pleader for Panchayat Raj, on written instructions dated 10.05.2023, submitted that, the respondent authorities have admitted the petitioner's bill amount and due to

non-availability of budget, the amounts could not be paid to the petitioner and sought time for payment. Learned Government Pleader for Finance & Planning submitted that this Court, *vide* order dated 28.06.2022 in Writ Petition No.17411 of 2022, granted six (06) weeks time for payment of the bill amount and prayed to consider this Writ Petition in similar lines.

4. To the said submission, learned counsel for the petitioner, reported no objection.

5. In view of the above, with the consent of learned counsel for both the parties, this Writ Petition is disposed of, at admission stage, in terms of the orders passed in W.P.No.17411 of 2022, dated 28.06.2022.

6. Accordingly, the respondent authorities are directed to release the admitted/legally entitled amount to the petitioner at the earliest, and at any rate, within a period of six (06) weeks from the date of receipt of a copy of this order. It would be open to the petitioner to agitate his claim for interest, if any, payable by the respondents, if he is so advised, in an appropriate forum. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

20.07.2023
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Dated :20.07.2023

MP