

THE HON'BLE SMT JUSTICE V. SUJATHA

Writ Petition No. 11987 of 2023

ORDER:

The present writ petition came to be filed 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 to declaring the inaction on the part of the respondents herein, not releasing and pay the part bill amounts worth of Rs.4,47,44,474/- with interest to the petitioner till today as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and consequentially to direct the respondents to release and pay the bill worth of Rs.4,47,44,474/- with interest to the petitioner forthwith and to pass such orders.....”

2. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the aforesaid amount, no payment is made. The petitioner contend that such non-payment of money is clearly illegal, arbitrary and violative of principles of natural justice and consequently to direct the respondents to pay the aforesaid due amount with interest to the petitioner.

3. Heard both the learned counsel and perused the material placed on record.

4. This Court, in various orders, including the common order dated 05.10.2021 in W.P.No.10038 of 2021 and batch passed by a learned Single Judge of this Court had taken a view that such non payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

5. In view of the common order passed by this Court and after hearing the submissions of learned counsel on both sides, this Writ Petition is disposed of directing the respondents to release total amount of Rs.4,47,44,474/- to the petitioner within a period of three (3) months from the date of receipt of a copy of this order. It is open to the petitioner to agitate his claim for interest, if any, payable by the respondents, in an appropriate forum. There shall be no order as to costs.

Miscellaneous petitions, pending, if any, in this Writ Petition shall stand closed.

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(Disposed of)

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Date: 12.05.2023

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