

HONOURABLE SMT. JUSTICE V. SUJATHA**WRIT PETITION No.4788 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 an order writ or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents herein in not releasing and paying the compensation amount of Rs.5,60,000/- (Rupees Five Lakhs Sixty Thousand Only) till today and causing heavy loss as illegal, arbitrary and violative of Articles 14 and 21 of Constitution of India and consequently direct the respondents to release and pay the compensation amount of Rs.5,60,000/- (Rupees Five Lakhs Sixty Thousand Only) to the petitioners forthwith and to pass...”

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

3. Learned Government Pleader for Roads & Buildings had produced a copy of the instructions of the Assistant Secretary to Government, dated 28.02.2023, wherein it is stated that they have received a CFMS Bill No.2022-1605566 for an amount of Rs.5,60,000/- and it will be cleared on priority basis as per the procedure.

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 the 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 the learned counsel for the petitioners, learned Government Pleader for Roads & Buildings and learned counsel appearing for the respondents, this Writ Petition is disposed of directing the respondents to release the amount of Rs.5,60,000/- to the petitioners within a period of two (2) months from the date of receipt of a copy of this order. It is open to the petitioners to agitate their claim for interest, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs.

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

V. SUJATHA, J

Date: 07-03-2023.

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