

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

TUESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO**

WRIT PETITION NO: 25234 OF 2015

Between:

M/s Shiva Electrical & Civil Works, H.No.10-3-144, Shivajinagar, Nizamabad Town and District Rep By its Proprietor Sri B. Rajesh S/o Rajalinama, Aged about 35 yrs.

...PETITIONER

AND

1. The Telangana State Northern Power distribution Company Ltd, Having its Corporate office at Vidyuth Bhavan, Nakkalagutta, Warangal District. Rep. By its Chairman and Managaing Director.
2. The Chief General Manager (Operation), TSNPDCL, Vidyuth Bhavan, Hanamakonda, Warangal District.
3. The Superintending Engineer, Operation Circle, TSNPDCL, Nizamabad Town and District.
4. The Divisional Engineer (Electrical), Operation Circle, TSNPDCL, Nizamabad Town and District.
5. Assistant Engineer (Operation), TSNPDCL, Nizamabad Town and District.

...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 a WRIT, order or direction more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in not making the payment of Rs.2,06,393-00 for the works done which are approved by the 5th respondent in terms of check measurements along with security deposit amount as illegal, Principles of Natural Justice and violation of Articles 14, 19(1) (g) and 21 of Constitution of India.

I.A. NO: 1 OF 2015(WPMP. NO: 32763 OF 2015)

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 respondents to make the payment of amount of Rs.2,06,393/- in terms of check measurement, approved by the 5th respondent forthwith, pending disposal of the above Writ Petition.

**Counsel for the Petitioner: SRI M.RAJ KUMAR /
SRI P.VINOD KUMAR (NOT PRESENT)**

Counsel for the Respondents: SRI ZAKIR ALI DANISH, SC FOR TSNPDCL

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.25234 of 2015

ORDER: *(Per the Hon'ble Sri Justice J. Sreenivas Rao)*

This writ petition is filed for the following relief:

“... to issue a WRIT, order or direction more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in not making the payment of Rs.2,06,393.00 for the works done which are approved by the 5th respondent in terms of check measurements along with security deposit amount as illegal, Principles of Natural Justice and violation of Articles 14, 19(1)(g) & 21 of Constitution of India...”

2. No representation on behalf of the petitioner either physical mode or virtual mode.
3. Heard Sri Zakir Ali Danish, learned standing counsel appearing on behalf of the respondents.
4. The claim of the petitioner is that respondent No.3 allotted works through agreements *vide* L.S. Agreement Nos.598, 599 and 600 of 2009-10, K2 No.597/2009-10, (SE-Op-Nizamabad), K2 Agreement No.65/2009-10/DE-OP-NZB, K2 Agreement No.143/2009-10, K2 Agreement No.83/2009-10 and

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K2 Agreement No.14/2008-09-09-DE-OP-NZB, for line works and shifting of single phase meters inside to outside of house premises in Nizamabad Division. Pursuant to the said agreements, the petitioner has completed the works and submitted bills to the respondents requesting to pay an amount of Rs.2,06,393/-. In spite of repeated requests made by the petitioner, the respondents have not passed any order nor considered the claim of the petitioner without any reasons much less valid reasons.

5. Learned standing counsel for the respondents submits that the petitioner has not submitted original bills, due to the same, the respondents have not considered the claim of the petitioner. If the petitioner submitted original bills, the respondents, after due verification, will consider the claim of the petitioner in accordance with law.

6. Having considered the submission made by the learned standing counsel, without going into the other aspects of the case, the petitioner is granted liberty to submit original bills claiming an amount of Rs.2,06,393/-. On such submission of bills, the respondents are directed to consider the same, in

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accordance with law, within a period of four (4) weeks from the date of submission of the original bills.

7. With the above direction, the writ petition is disposed of.
No order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman and Managaing Director, Telangana State Northern Power distribution Company Ltd, Having its Corporate office at Vidyuth Bhavan, Nakkalagutta, Warangal District.
2. The Chief General Manager (Operation), TS NPDCL, Vidyuth Bhavan, Hanamakonda, Warangal District.
3. The Superintending Engineer, Operation Circle, TSNPDCL, Nizamabad Town and District.
4. The Divisional Engineer (Electrical), Operation Circle, TSNPDCL, Nizamabad Town and District.
5. The Assistant Engineer (Operation), TSNPDCL, Nizamabad Town and District.
6. One CC to SRI P.VINOD KUMAR, Advocate [OPUC]
7. One CC to SRI M.RAJKUMAR, Advocate [OPUC]
8. One CC to SRI ZAKIR ALI DANISH, SC FOR TSNPDCL [OPUC]
9. Two CD Copies

BSR
GJP

V.S.

HIGH COURT

DATED: 06/08/2024



ORDER

WP.No.25234 of 2015

**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

⑪ VLV
30/9/24