



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3331]

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 1119/2025

Between:

1. KARRI SURYA NAGESWARARAO,, S/O. APPARAO , AGED ABOUT 58 YEARS, OCC CONTRACTOR, R/O. D.NO.4-30, DEVI CENTER, DOSAKAYALAPALLE, KORUKONDA MANDAL EAST GODAVARI DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

3. THE DISTRICT COLLECTOR, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT, AP

4. THE EXECUTIVE ENGINEER, RWS AND S DIVISION, RAJAMAHENDRAVARAM, AP

5. THE PAY AND ACCOUNTS OFFICER FINANCE DEPARTMENT, WORKS AND PROJECTS, DOWLESWARAM, EAST GODAVARI

DISTRICT, ANDHRA PRADESH

6.THE DOSAKAYALAPALLI GRAM PANCHAYAT, DOSAKAYALAPALLI VILLAGE, KORUKONDA MANDAL, EAST GODAVARI DISTRICT, REP BY ITS SECRETARY.

7.THE BUTCHEMPETA GRAM PANCHAYAT, BUTCHEMPETA VILLAGE, KORUKONDA MANDAL, EAST GODAVARI DISTRICT, REP BY ITS SECRETARY.

8.THE NIDIGATLA GRAM PANCHAYAT, NIDIGATLA VILLAGE, KORUKONDA MANDAL, EAST GODAVARI DISTRICT, REP BY ITS SECRETARY. RR 6 TO 8 ARE IMPEADED AS PER THE COURT'S ORDER DT.08.04.2026 IN I.A.NO.02 OF 2025

...RESPONDENT(S):

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 be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring action of the respondents in non-payment of amount due even after finalizing the bills, payable to the petitioner after the successful completion of the execution of works i.e., I Construction of CC Drain at Grama Sachivaiaiyaml of Dosakayalapali-I(V) (Bit- 1) of Korukonda (M) under Agreement No. /2023-24 dt 12-03-2024, II. Construction of CC Drain at Grama Sachivaiaiyaml of Dosakayaiapali-I(V) (Bit- 2) of Korukonda (M)m6er an Agreement no. /2023-24 dt 12-03-2024, iii. Construction of CC Drain from 1. Medisetti Balayya (H) to Pachipala Suryarao (H) 2. Gudivada Daya (H) to Gollaviii Raju (H) 3. Galla Babi (H) to Gaila Krishna (H) at Dosakayaiaipalii (V) of Korukonda (M) under an Agreement No. /2023-24 dt 24-01-2024, IV. Construction of CC Drain from I.Andiboyina Bala Chandrudu (H) to Pili Venkataramana (H) 2.Mami Sudhakar Site to Joga Ganga (H) at Dosakayaiaipalii (V) of Korukonda (M) under an Agreement no. /2023-24 dt 24-01-2024, V. Construction of CC Drain from I.Anganwadi No.5 to BC Community Mali 2.Goiaviii Murali (H) to Mangatapalli Kameswara Rao (H) at Dosakavalapalli (V) ofKorukonda (M) under an Agreement no. /2023 dt 24-01-2024, VI. Construction of CC Drain from I.Grandhi Gurraju (H) to Karri Anandi (H) 2.Basavamani Satyanarayana (H) to Karanam Raju (H) at /2023-24Dosakavalapalli (V) ofKorukonda (M) under an Agreement no. dt 24-01-2024, VII. Construction of CC Drain from 1. Vasamsettl Trimurthulu (H) to Kurukuri Arjun (H) 2.Vasamsettl Paparao (H) to

Matha Nagamani (H) 3.Galla Krishna (H) to Manepalli Venkataramana (H) at Dosakayalapalli (V) /2023-24 dt 24-01-2024, of Korukonda (M) under an Agreement no. Via. Construction of CC Drain from Manepalli Venkataramana (H) to Lakshmi Devi gudi at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. /2023-24 dt 24-01-2024, IV. Construction of CC Drain from I.Andiboyina Bala Chandrudu (H) to Pili Venkataramana (H) 2.Mami Sudhakar Site to Joga Ganga (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. /2023-24 dt 24-01-2024, V. Construction of CC Drain from I.Anganwadi No.5 to BC Community Mali 2.Goiaviii Murali (H) to Mangatapalli Kameswara Rao (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. /2023 dt 24-01-2024, VI. Construction of CC Drain from I.Grandhi Gurraju (H) to Karri Anandi (H) 2.Basavamani Satyanarayana (H) to Karanam Raju (H) at /2023-24 Dosakayalapalli (V) of Korukonda (M) under an Agreement no. dt 24-01-2024, VII. Construction of CC Drain from 1. Vasamsettl Trimurthulu (H) to Kurukuri Arjun (H) 2.Vasamsettl Paparao (H) to Matha Nagamani (H) 3.Galla Krishna (H) to Manepalli Venkataramana (H) at Dosakayalapalli (V) /2023-24 dt 24-01-2024, of Korukonda (M) under an Agreement no. Via. Construction of CC Drain from Manepalli Venkataramana (H) to Lakshmi Devi gudi at Dosakayalapalli (V) of Korukonda (M) under an /2023-24 dt 24-01-2024, Agreement no. IX. Construction of CC Drain from I.Sammetla Srin(H) to Galla Achutarayudu Site 2.Mutyam Parvathi (H) to Nurukurthi Venkanna Babu (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. /2023-24 dt 24-01-2024, X. Construction of CC Drain from Lakshmi Devi gudi to Vinayaka gudi /2023-at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. 24 dt 24-01-2024, XI. Construction of CC Drain from 1)Pathuru OHSR Tank to PathaPanchayat Office 2.KantamMurali (H) to AdabalaThirupathirao (H) of Butchempeta (V) of Korukonda (M) under an Agreement no. dt 25-01-2024 XII. Construction of CC Drain from I.Kanuri Veera Bhadram (H) to MPUP School 2.Culvert at AthiSatyanarayana (H) 3.Yerramsetti Rambabu (H) In Butchempeta (V) of Korukonda (M) under an Agreement /2023-24 no. dt 25-01-2024 XIII. Construction of CC Drain from I. Anaparthi Adhinarayana (H) to Veeramalla Prasad (H) in Butchempeta (V) of Korukonda (M) Agreement no. /2023-24 dt- 25-01-2024, under an XIV. Construction of CC Drain from I. Kacheri Savidi to Venkateswara Swamy Temple 2.Singilidevi Satyanarayana(H) to Battakondayya cheruvu 3. Culvert at Pathuru Ramalayam 4.Anaparthi Subbarao (H) in Butchempeta (V) of Korukonda (M) under an Agreement /2023-24 dt 25-01-2024, no. XV. Construction of CC Drain Culverts at I. Dirsupamu Yesudasu (H) 2.Arugolla Shekarbabu (H) 3.Degapati Venkatarao(H) 4.Gunampalli

Veerabhadram(H) S.Gunampaili Pushpa (1-1)6. Tadeipalli Raju (H) T.Tadeipalli Ravindra (H) 8. Ninaia Gangaraju (H) 9 Ninala Chittema (H)IO.Tavitaka Ramulamma (H)1 I.Gundupalli Durga Rao (1-1)1 2. Akimuri Lakshmipathi (1-1)13. Jeelam Veeraaju (H)14.Iijana Rajaratnam (H) IS.Rayudu NammiAu (H)16.Chirra China Lazaru (H) in Butchempeta (V) of Korukonda (M) under an Agreement /2023-24 dt 25-01-2024,no. XVI. Construction of CC Drain from I.Dara Dharmaraju (H) Kudumulla Subbarao (H) 2.Dara pushpa (H) to Nooki Venkateswara Rao (H) ofNidigatla (V) ofKorukonda (M) under an Agreement no. /2023-24 dt- 24-01-2024, XVII. Construction of CC Drain from 1 Mokkapati Babji (H) to Bandaru Vishnu(H) 2.Onguri Papa (H) to Samireddy Veera Raghavulu (H) OfNidigatla (V) of Korukonda (M) under an Agreement no. /2023-24 24-01-2024, XVIII. Construction of CC Drain from I.Kothapalli Surya Rao (H) to Park 2.Gulla Pravalika Site to Kothapalli Chandarao (H) S.Jagan (H) to Dara Rambabu (H) of R Nidigatia (V) ofKorukonda (M) under an Agreement no. /2023-24 dt- 24-01-2024, XIX. Construction of CC Drain from Narravulia Krishna Site to Gudi Manikyam Lakshmi(H) in Butchempeta (V) of Korukonda (M) under Agreement no. /2023-24 dt 23-02-2024, respectively for Gadapa Gadapaku Mana Prabhutvam programme and for consequential direction seeking direction to the respondents to release the final bill amounts forthwith along with the interest payable to the petitioner on the principal amount and pass/2023-24 dt 24-01-2024 IX. Construction of CC Drain from I.Sammetla Srin(H) to Galla Achutarayudu Site 2.Mutyam Parvathi (H) to Nurukurthi Venkanna Babu (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. /2023-24 dt 24-01-2024, X. Construction of CC Drain from Lakshmi Devi gudi to Vinayaka gudi /2023-at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. 24 dt 24-01-2024, XI. Construction of CC Drain from 1)Pathuru OHSR Tank to PathaPanchayat Office 2.KantamMurali (H) to AdabalaThirupathirao (H) of Butchempeta (V) of Korukonda (M) under an Agreement no. dt 25-01-2024 XII. Construction ofCC Drain from I.Kanuri Veera Bhadram (H) toMPUP School 2.Culvert at AthiSatyanarayana (H)3.Yerramsetti Rambabu (H) InButchempeta (V) ofKorukonda (M) under an Agreement /2023-24no. dt 25-01-2024 XIII. Construction of CCDrain from I. Anaparthi Adhinarayana (H) to Veeramalla Prasad (H) in Butchempeta (V) of Korukonda (M) Agreement no. /2023-24 dt- 25-01-2024, under an XIV. Construction of CC Drain from I. Kacheri Savidu toVenkateswara Swamy Temple 2.Singilidevi Satyanarayana(H) to Battakondayya cheruvu 3. Culvert at Pathuru Ramalayam 4.AnaparthiSubbarao (H) in Butchempeta (V) of Korukonda (M) under an

Agreement /2023-24 dt 25-01-2024, no. XV. Construction of CC Drain Culverts at 1. Dirsupamu Yesudasu (H) 2. Arugolla Shekarbabu (H) 3. Degapati Venkatarao (H) 4. Gunampalli Veerabhadram (H) S. Gunampalli Pushpa (1-1) 6. Tadepalli Raju (H) T. Tadepalli Ravindra (H) 8. Ninaia Gangaraju (H) 9. Ninala Chittima (H) 10. Tavitaka Ramulamma (H) 11. Gundupalli Durga Rao (1-1) 12. Akimuri Lakshmipathi (1-1) 13. Jeelam Veeraaju (H) 14. Iijana Rajaratnam (H) 15. Rayudu Nammi (H) 16. Chirra China Lazaru (H) in Butchempeta (V) of Korukonda (M) under an Agreement /2023-24 dt 25-01-2024, no. XVI. Construction of CC Drain from 1. Dara Dharmaraju (H) Kudumulla Subbarao (H) 2. Dara pushpa (H) to Nooki Venkateswara Rao (H) of Nidigatla (V) of Korukonda (M) under an Agreement no. /2023-24 dt- 24-01-2024, XVII. Construction of CC Drain from 1. Mokkapati Babji (H) to Bandaru Vishnu (H) 2. Onguri Papa (H) to Samireddy Veera Raghavulu (H) of Nidigatla (V) of Korukonda (M) under an Agreement no. /2023-24 24-01-2024, XVIII. Construction of CC Drain from 1. Kothapalli Surya Rao (H) to Park 2. Gulla Pravalika Site to Kothapalli Chandarao (H) S. Jagan (H) to Dara Rambabu (H) of R Nidigatla (V) of Korukonda (M) under an Agreement no. /2023-24 dt- 24-01-2024, XIX. Construction of CC Drain from Narravulia Krishna Site to Gudi Manikyam Lakshmi (H) in Butchempeta (V) of Korukonda (M) under Agreement no. /2023-24 dt 23-02-2024, respectively for Gadapa Gadapaku Mana Prabhutvam programme and for consequential direction seeking direction to the respondents to release the final bill amounts forthwith along with the interest payable to the petitioner on the principal amount and pass

IA NO: 1 OF 2025

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 pay the amounts of Rs.84,028/-, Rs.73,564/-, Rs.4,15,808/-, Rs.4,20,882/-, Rs.4,12,085/-, Rs.4,20,153/-, Rs.4,07,264/-, Rs.4,21,322/-, Rs.4,20,434/-, Rs.4,16,972/-, Rs.3,20,259/-, Rs.3,14,049/-, Rs.2,09,763/-, Rs.3,36,048/-, Rs.3,61,176/-, Rs.3,58,496/-, Rs.4,00,206/-, Rs.3,81,747/-, and Rs. 3,12,103/- payable to the petitioner for the works i.e., payable to the petitioner after the successful completion of the execution of 19 works i.e., : I. Construction of CC Drain at Grama Sachivaiaiyami of Dosakayaipai-I (V) (Bit- 1) of Korukonda (M) under Agreement No. /2023-24 dt: 12-03-2024, II. Construction of CC Drain at Grama Sachivaiaiyami of Dosakayaipai-I (V) (Bit- 2) of Korukonda (M) under an Agreement no. /2023-24 dt: 12-03-2024, III. Construction of CC Drain

from 1. Mediseti Balayya (H) to Pachipala Suryarao (H) 2. Gudivada Daya (H) to Gollavilli Raju (H) 3. Galla Babi (H) to Galla Krishna (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. /2023-24 dt: 24-01-2024, IV. Construction of CC Drain from I.Andiboyina Bala Chandrudu (H) to Pili Venkataramana (H) 2.Mami Sudhakar Site to Joga Ganga (H) at /2023-24Dosakayalapalli (V) of Korukonda (M) under an Agreement no. dt: 24-01-2024, V. Construction of CC Drain from 1.Anganwadi No.5 to BC Community Hall 2.Gollavilli Murali (H) to Mangatapalli Kameswara Rao (H) at /2023-24Dosakayalapalli (V) of Korukonda (M) under an Agreement no. dt: 24-01-2024, VI. Construction of CC Drain from I.Gandhi Gurraju (H) to Karri Anandi (H) 2.Basavamani Satyanarayana (H) to Karanam Raju (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. dt: 24-01-2024, /2023-24 VII. Construction of CC Drain from 1. Vasamsetti Trimurthulu (H) to Kurukuri Arjun (H) 2.Vasamsetti Paparao (H) to Matha Nagamani (H) S.Galla Krishna (H) to Manepalli Venkataramana (H) at Dosakayalapalli (V) of Korukonda (M) under an Agreement /2023-24 dt: 24-01-2024, no. VIII. Construction of CC Drain from Manepalli Venkataramana Lakshmi Devi gudi at Dosakayalapalli (V) of Korukonda (M) Agreement no. /2023-24 dt: 24-01-2024, (H) to under an IX. Construction of CC Drain from I.Sammetla Srin(H) to Galla Achutarayudu Site 2Mutyam Parvathi (H) to Nurukurthi Venkanna Babu (H) at Dosakayalapalli (V) of Korukonda (M) /2023-24 dt: 24-01-2024, under an Agreement no. X. Construction of CC Drain from Lakshmi Devi gudi to Vinayaka gudi at Dosakayalapalli (V) of Korukonda (M) under an Agreement no. 24 dt: 24-01-2024, /2023- XI. Construction of CC Drain from 1)Pathuru OHSR Tank to PathaPanchayat Office ZKantamMurali (H) to AdabalaThirupathirao of Butchempeta (V) of Korukonda (M) under an Agreement no. dt: 25-01-2024, (H) /2023-24 XII. Construction of CC Drain from I.Kanuri Veera Bhadram (H) to MPUP School 2.Culvert at AthiSatyanarayana (H)3.Yerramsetti Rambabu InButchempeta (V) of Korukonda (M) under an Agreement no. dt: 25-01-2024 (H) /2023-24 XIII. Construction of CC Drain from I. Anaparthi Adhinarayana (H) to Veeramalla Prasad (H) in Butchempeta (V) of Korukonda (M) under an Agreement no. /2023-24 dt: 25-01-2024 XIV. Construction of CC Drain from I. Kacheri Savidi toVenkateswara Swamy Temple 2.Singilidevi Satyanarayana(H) to Battakondayya cheruvu S.CuivertatPathuru Ramalayam 4.AnaparthiSubbarao (H) in Butchempeta /2023-24 dt; 25-01-2024,(V) of Korukonda (M) under an Agreement no. XV. Construction of CC DrainCuiveris at I. Dirsupamu Yesudasu (H) 2.Arugolla Shekarbabu (H) 3.Degapati Venkatarao(H) 4.Gunampalli Veerabhadram(H) S.Gunampalli

Pushpa (1-1)6. Tadeipalli Raju (H) T.Tadeipalli Ravindra (H) 8. Ninaia Gangaraju (H) 9 Ninala Chittema (H)10.Tavitaka Ramulamma (H)11 I.Gundupalli Durga Rao (H)12. Akimuri Lakshmi pathi (H)13. Jeelam Veeraaju (H)14. Iijana Rajaratnam (H) 15.Rayudu Nammi Au (H)16.Chirra China Lazaru (H) in Butchempeta (V) of Korukonda (M) under an Agreement no. /2023-24 dt: 25-01-2024, XVI. Construction of CC Drain from I.Dara Dharmaraju (H) to Kudumulla Subbarao (H) 2.Dara pushpa (H) to Nooki Venkateswara Rao (H) of Nidigatla (V) of Korukonda (M) under an Agreement no. dt: 24-01-2024, XVII. Construction of CC Drain from 1 Mokkapati Babji (H) to Bandaru Vishnu(H) 2.Onguri Papa (H) to Samireddy Veera Raghavulu (H) Of Nidigatla (V) of Korukonda (M) under an Agreement no. 24-01-2024, /2023-24 /2023-24 dt: XVIII. Construction of CC Drain from I.Kothapalli Surya Rao (H) to Park 2.Guina Pravaika Site to Kothapalli Chandarao (H) 3.Jagan (H) to Dara Rambabu (H) of R Nidigatla (V) of Korukonda (M) under an Agreement no. /2023-24 dt: 24-01-2024 IX. Construction of CC Drain from Narravulla Krishna Site to Gudi Manikyam Lakshmi(i-l) in Butchempeta (V) of Korukonda (M) under an Agreement no. /2023-24 dt: 23-02-2024, respectively for "Gadapa Gadapaku Mana Prabhutvam" programme immediately, pending disposal of the main writ petition and pass

IA NO: 2 OF 2025

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 may be pleased to permit the petitioner to implead the proposed Respondents No.6 to 8 as party respondent Nos.6 to 8 in W.P.No.1119 of 2025 as well as in I.A.No.1/2025 and pass

Counsel for the Petitioner:

1.YASWANTH GADE

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER ::

The above writ petition was filed to declare the action of the respondents in not releasing the bill amount of Rs.58,43,500/-, payable to the petitioner in relation to the works executed by the petitioner pursuant to nineteen works, as illegal and arbitrary.

2. Heard Sri G.Yaswanth, learned counsel for the petitioner and Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development & Finance and Planning Department, appearing for respondents.

3. Today, when the matter is taken up for consideration, learned Assistant Government Pleader for Panchayat Raj, submitted the written instructions of respondent No.4.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned works and the balance amount payable to the petitioner after statutory deductions is Rs.58,31,737/-. The written instructions are made as part of the record.

5. Learned counsel for the petitioner endorses the same.

6. Thus, as seen from the instructions there is no dispute regarding the execution of works and the petitioner's entitlement for Rs.58,31,737/-. Since the amount payable is admitted and undisputed, the writ petition is

maintainable. In ***M/s Utkal Highways Engineers and Contractors v. Chief General Manager & Ors¹***, it was held at Para No.8 as under:

“Be that as it may, the High court has not dealt with the merits of the writ petition. Moreover, it is not an inviolable rule that no money claim can be adjudicated upon in exercise of writ jurisdiction. Non-payment of admitted dues, inter alia, may be considered an arbitrary action on the part of respondents and for claiming the same, a writ petition may lie. Further, throwing a writ petition on ground of availability of alternative remedy after 10 years, particularly, when parties have exchanged their affidavits, is not the correct course unless there are disputed questions of fact which by their very nature cannot be adjudicated upon without recording formal evidence.”.

7. Given the instructions furnished by respondent No.4, the Writ Petition is disposed of directing the respondents to release an amount of Rs.58,31,737/- (Rupees Fifty Eight Laksh Thirty One Thousand Seven Hundred and Thirty Seven Only) payable to the petitioner regarding execution of the aforementioned works, within five (05) months from the date of receipt of the copy of this order. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 21.04.2026
JLV

¹ 2025 SCC online SC 1400

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 1119 of 2025

Date: 21.04.2026
JLV