



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

[3331]

FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 926/2025

Between:

1. MANGINA SATTIBABU,, S/O.SATYANARYANA , AGED ABOUT 35 YEARS, OCC- CONTRACTOR, R/O. D.NO.2-2, THOKADA, RAJANAGARAMMANDAL, 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

...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 issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUSdedaring 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 10 works i.e. I.Construction of CC Drain from PithaniDurgarao (H) to NurukurthiSuryarao (H) 1 in Kanavaram (V) of RajanagaramMandal under Agreement No. /2023-24 dt 07-03-2024, II. Construction of CC Drain from NurukurthiSuryarao (H) to Venkatanagaram Canal in Kanavaram (V) of RajanagaramMandal under an Agreement no. /2023-24 dt- 07-03-2024, III. Construction of CC Drain from PithaniDurgarao (H) to Gurajrapu Venkata Satyanarayana (H) in Kanavaram (V) of Rajanagaram Mandal under an Agreement no. /2023-24 dt- 07-03-2024, IV. Construction of CC Drain from PithnaniAnnavaram (H) to VenkatanagaramCanal in Kanavaram (V) of RaJanagaramMandalunder Agreement no. /2023-24 dt- 07-03-2024, V.Construction of CC Drain from Sangitha Srinu (H) to Pudi Lakshmi (H) inKanavaram (V) of Rajanagaram Mandal under /2023-24 dt- 07-03-2024. an Agreement no. VLConstraction of CC Drain from Nanduri Satti babu (H) to Kammari Tathabbayi(H) in Kanavaram (V) of Rajanagaram Manc/a/under an Agreement no. /2023-24 dt- 07-03-2024 Vii.Construction of CC Drain from AndruSeethayya (H) to Dhabaia Venkatesh (H) and Pithani Satyanarayana (H) to PithaniGovindu (H) in /2023- Kanavaram (V) ofRaJanagaramMandai under an Agreement no. 24 dt 07-03-2024. X.Construction of CC Drain from Sodasani Arjun (H) to Sodasani Baby (H) AKurumaliaNageswararao (H) to SangithaBurayya (H) in Kanavaram 00 ofRaJanagaram Mandai under an Agreement no. /2023-24 dt 07-03- Vlii.Construction of CC Drain from SC Area OHSR Tank to Satyanarayana (H) in Kanavaram (V) of Rajanagaram Mandai Agreement no. /2023-24 dt- 07-03-2024 iX.Construction of CC Drain from Kadiyala Raghava Tank to Gurajrapu Govindu (H) in Kanavaram (V) of RaJanagaramMandal under an Agreement no. /2023-24 dt 07-03-2024, espectively for

GadapaGadapakuManaPrabhutvam programme and final bill amounts forthwith along with the interest payable to the petitioner on the principal amount and pass for consequential direction seeking direction to the respondents to release the

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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 direct the respondents to pay the amounts of Rs.3,55,907/- Rs.3,71,325/-, Rs. 1,46,154/ Rs.2,01,694/-, Rs. 1,89,878/-, Rs.3,16,021/-, Rs. 1,78,048/-, Rs.3,41,173/-, Rs.99,886/-, and Rs.1,76,735/- payable to the petitioner for the works i.e., payable to the petitioner after the successful completion of the execution of 10 works i.e. I.Construction of CC Drain from PithaniDurgarao (H) to Nurukurthi Suryarao (H) 1 in Kanavaram (V) of RajanagaramMandal under Agreement /2023-24 dt: 07-03-2024, No. //. Construction of CC Drain from NurukurthiSuryarao (H) Venkatanagaram Canai in Kanavaram (V) of RajanagaramMandai under an Agreement no. to /2023-24 dt: 07-03-2024, Hi. Construction of CC Drain from PithaniDurgarao (H) to Gurajarapu Venkata Satyanarayana (H) in Kanavaram (V) of Rajanagaram Mandai under an Agreement no. /2023-24 dt: 07-03-2024, iV. Construction of CC Drain from PithnaniAnnavaram VenkatanagaramCanai in Kanavaram (V) of RajanagaramMandaiunder Agreement no. /2023-24 dt: 07-03-2024, (H) to an V.Construction of CC Drain from Sangitha Srinu (H) to Pudi Lakshmi (H) inKanavaram (V) of Rajanagaram Mandai under an Agreement no. /2023-24 dt: 07-03-2024, Vi.Construction of CC Drain from NanduriSattibabu (H) KammariTathabbayi(H) in Kanavaram (V) of Rajanagaram Mandaiunder an Agreement no. /2023-24 dt: 07-03-2024, to Vii.Construction of CC Drain from AndruSeethayya (H) to Dhabaia Venkatesh (H)&Pithani Satyanarayana (H) to PithaniGovindu (H) in Kanavaram (V) ofRajanagaramMandal under an Agreement no. 24 dt; 07-03-2024, /2023-VIII.Construction of CC Drain from SC Area OHSR Tank to Nagavarapu Satyanarayana (H) in Kanavaram (V) of Rajanagaram Mandal under an Agreement no. /2023-24 dt: 07-03-2024, iX.Construction of CC Drain from Kadiyala Raghava Tank to Gurajarapu Govindu (H) in Kanavaram (V) of RajanagaramMandal under Agreement no. /2023-24 dt: 07-03-2024, an XConstruction of CC Drain from Sodasani Arjun (H) to Sodasani Baby (H)

AKurumalia Nageswararao (H) to SangithaBurayya (H) in Kanavaram (V) of Rajanagaram Mandai under an Agreement no. 2024, respectively for “GadapaGadapakuManaPrabhutvam” immediately, pending disposal of the main writ petition 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 ::

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

2. The above writ petition was filed to declare the action of the respondents in not releasing the amount of Rs.23,76,821/- payable to the petitioner in relation to the works executed i.e. ten C.C. drain works in Rajanagaram Mandal, in pursuance of agreements dated 07.03.2024, as illegal and arbitrary.

3. Today when the matter is taken up, learned Assistant Government Pleader for Panchayat Raj, submitted instructions of the Executive Engineer, RWS and S Division, Rajamahendravaram.

4. A perusal of the said instructions would disclose that the petitioner has executed ten CC drain works for a total value of Rs.28,47,986/- and the net

amount payable to the petitioner, after statutory recovery of Rs.2,77,644/- is Rs.25,70,342/-. The written instructions are made as part of the record.

5. Learned counsel for the petitioner endorses the same. Learned counsel undertakes to pay the deficit court fee of Rs.900/- within one week from the receipt of the order copy and file a memo to that effect. The same is recorded.

6. Thus, as seen from the instructions there is no dispute regarding the execution of the aforementioned works and the petitioner's entitlement for amount of Rs.25,70,342/-. 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 & Ors***¹, 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 Executive Engineer, RWS and S Division, Rajamahendravaram, though there is a small variation in the amount claimed by the petitioners and the amount determined by the official, as payable to the petitioners, the Writ Petition is disposed of directing the respondents to release an amount of Rs.25,70,342/- (Rupees Twenty Five Lakhs Seventy Thousand Three Hundred and Forty Two only) payable to the

¹ 2025 SCC online SC 1400

petitioner regarding execution of the aforementioned works, within three (03) 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: 10.04.2026
IKN

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 926 of 2025

Date: 10.04.2026
IKN