

APHC010051672026



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

[3328]

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

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 3935/2026

Between:

1. PERUGU VASU, S/O VENKATESWARLU, AGED ABOUT 37 YEARS,
OCC CONTRACTOR, H.NO. 8-98, NEAR WATER TANK,
SANTHANUTHALAPADU, PRAKASAM DISTRICT, A.P.- 523225.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF MUNICIPAL ADMINISTRATION AND URBAN
DEVELOPMENT SECRETARIAT BUILDINGS, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT. 522238

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF FINANCE AND PLANNING,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT, 522238

3. THE MUNICIPAL CORPORATION, REP BY ITS MUNICIPAL
COMMISSIONER ONGOLE, PRAKASAM DISTRICT. 523001

4. THE MUNICIPAL EXECUTIVE ENGINEER, ONGOLE, PRAKASAM
DISTRICT. 523001

5. THE MUNICIPAL DEPUTY EXECUTIVE ENGINEER, ONGOLE,
PRAKASAM DISTRICT. 523001

6. THE MUNICIPAL ASSISTANT EXECUTIVE ENGINEER, ONGOLE,

PRAKASAM DISTRICT. 523001

7.THE PAY AND ACCOUNTS OFFICER, WORKS AND ACCOUNTS,
PRAKASAM DISTRICT.523001

...RESPONDENT(S):

Counsel for the Petitioner:

1.G.SAI LOCHAN

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

2.GP FOR FINANCE PLANNING

The Court made the following:

ORAL ORDER:

Heard Sri G. Sai Lochan, learned Counsel for the Writ Petitioner, Sri M. Srinu Babu, learned Assistant Government Pleader for Municipal Administration & Urban Development, Ms. D. Naga Chandrika, learned Assistant Government Pleader for Finance & Planning and Sri S. Vijay Kumar, learned Counsel appearing on behalf of Sri A.S.C. Bose, learned Standing Counsel for Ongole Municipal Corporation.

2. Sri S. Vijay Kumar, learned Counsel appearing on behalf of Sri A.S.C. Bose, learned Standing Counsel for Ongole Municipal Corporation, has submitted the Written Instructions furnished by the Commissioner, Ongole Municipal Corporation. Copy of it is supplied to the Counsel for the Writ Petitioner and the same is taken on record.

3. Para 1 of the Written Instruction would indicate that the amount claimed by the Writ Petitioner has been admitted but the bills have not been uploaded on to the NIDHI Portal due to insufficiency of funds. As seen from the facts, the amount claimed by the Writ Petitioner is Rs.33,09,371/- (Net amount). It is a settled law that the employer cannot raise a plea of insufficiency of funds after availing the services of the Writ Petitioner. (Please see (1) **Surya**

Constructions vs. State of Uttar Pradesh and Others : (2019) 16 SCC 794 - Para Nos.2, 3 & 4, (2) ***Mr. S.C. Meena, EE (Project Narela) vs. Amit Tanwar*** : 2018 SCC OnLine Del 8035 - Para No.48, (3) ***Kashmir Wood Products vs Verinag Development Authority and Others*** : 2021 SCC OnLine J&K 814 - Para No.8, (4) ***Kattam Reddy Venkateswarlu Reddy Vs. State of Andhra Pradesh, Rep. by its Principal Secretary, Municipalities and Urban Development Department and three others*** : Order dated 23.01.2026 in W.P.No.34418 of 2025 of High Court of Andhra Pradesh)

4. Having regard to the above facts and the settled legal position, this Court deems it appropriate to allow this Writ Petition, with a direction to the Respondent Authorities, including Respondent Nos.2 & 3, to complete the entire administrative process, both inter-departmental and intra-departmental, by way of mutual cooperation and coordination, within a period of twelve (12) weeks from today and transfer the due amount to the bank account of the Writ Petitioner within four (4) weeks thereafter.

5. Writ Petitioner is directed to submit the bank account details to the Competent Authority within four (4) weeks from today for effective compliance.

6. With these observations and directions, this Writ Petition stands allowed. No order as to costs.

7. Interlocutory Applications, if any, stand closed in terms of this order.

GANNAMANENIRAMAKRISHNA PRASAD, J

Dt:21.04.2026

Vns