

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 3049 OF 2024



Between:

Manjunada Bore Wells, Rep. by its Managing Partner S Usharani, W/o. S Ravi Kumar, Aged about 34 years, Occ Contractor, R/o. 1-275, BN Kandriga, Buchinaidu Kandriga, Chittoor District, Pincode 517640.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Panchayat Raj and Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur District.
4. The District Collector, Nellore, SPSR Nellore District.
5. The Director (Watersheds), Panchayat Raj and Rural Development, Tadepalli, Guntur District.
6. The Project Director, DWMA, Nellore, SPSR Nellore District.
7. The Chief Executive Officer, AP CFMS Office, Floor, C-Block, Anjaneya Towers, Ibrahimpatnam, Krishna District.

Respondents

WHEREAS the Petitioner above named through its Advocate SRI.BATHALA RAMESH presented this 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 of mandamus or any other appropriate writ or direction declaring the action of the Respondents not releasing the 10 percent withheld amounts of Rs.1,34,608/-, even after completion of defect liability period, refund payable to the petitioner in relation to the work i.e.. The bore wells drilled under the YSR Jala Kala programme from 01.07.2021 to 30.06.2022 is questioned, as the same is illegal, arbitrary and consequently direct the respondents to release the 10 percent withheld amounts of Rs.1,34,608/-, to the petitioner in respect of above-mentioned work forthwith.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.BATHALA RAMESH Advocate for the Petitioner, Assistant Government Pleader for Panchayat Raj for respondent Nos.1, 3 & 5, Assistant Government Pleader for Finance & Planning for respondent No.2 and Assistant Government Pleader for Revenue for respondent No.4, directed issue of notice to the Respondent Nos.6 & 7 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Panchayat Raj and Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur District.
4. The District Collector, Nellore, SPSR Nellore District.
5. The Director (Watersheds), Panchayat Raj and Rural Development, Tadepalli, Guntur District.
6. The Project Director, DWMA, Nellore, SPSR Nellore District.
7. The Chief Executive Officer, AP CFMS Office, Floor, C-Block, Anjaneya Towers, Ibrahimpatnam, Krishna District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 06.03.2024 on which date the case stands posted for hearing.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

List on 06.3.2024 to enable the learned Assistant Government Pleader for Panchayat Raj appearing on behalf of respondent Nos.1, 3 & 5, learned Assistant Government Pleader for Finance & Planning appearing on behalf of respondent No.2 and learned Assistant Government Pleader for Revenue appearing on behalf of respondent No.4 to secure instructions in the matter.

Issue notice to respondent Nos.6 and 7.

Learned `counsel for the petitioner is permitted to take out personal notice on respondent Nos.6 and 7 by registered post with acknowledgement due and file proof of service in the Registry, by the date of next adjournment.

**SD/- Sk Md Rafi
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj and Rural Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

2. The Principal Secretary, State of Andhra Pradesh, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur District.
4. The District Collector, Nellore, SPSR Nellore District.
5. The Director (Watersheds), Panchayat Raj and Rural Development, Tadepalli, Guntur District.
6. The Project Director, DWMA, Nellore, SPSR Nellore District.
7. The Chief Executive Officer, AP CFMS Office, Floor, C-Block, Anjaneya Towers, Ibrahimpatnam, Krishna District.
8. One CC to SRI.BATHALA RAMESH Advocate [OPUC]
9. Two CCs to GP for Panchayat Raj & Rural Development, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
12. One spare copy

SRL

HIGH COURT

NJS,J

DATED:07/02/2024

NOTE: LIST ON 06.03.2024

NOTICE BEFORE ADMISSION

WP.No.3049 of 2024

