

APHC010067152026



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

[3457]

WEDNESDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION NO: 4081/2026**

Between:

1. BOTTA RAMU, S/O. BOTTA ATCHANNA, AGED ABOUT 37 YEARS,
OCC CONTRACTOR, R/O. H.NO. 13-08-108, GOLLA VEEDHI,
BHEEMUNIPATNAM, VISAKHAPATNAM, VISAKHAPATNAM
DISTRICT, PINCODE 531163.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, PINCODE 522238.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, PINCODE 522238.
3. THE COMMISSIONER AND DIRECTORATE OF MUNICIPAL ADMINISTRATION, APCRDA PROJECT OFFICE, 4TH FLOOR, RAYAPUDI POST, TULLURU MANDAL, AMARAVATHI, GUNTUR DISTRICT, PINCODE 522237.
4. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT, PINCODE 530003.
5. THE EXECUTIVE ENGINEER II, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT, PINCODE 530003.
6. THE CHIEF EXECUTIVE OFFICER, APCFSS, 3RD FLOOR, NIDHI BHAVAN, BEHIND APIIC BUILDING, MANGALAGIRI, GUNTUR DISTRICT, PINCODE 522503.

...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 of mandamus or any other appropriate writ or direction declaring the action of the Respondents not releasing the amount of Rs. 19,82,669/- vide M Book No. 145/2022-23 and CFMS Number 2023-2371325, even after finalizing the bills, payable to the petitioner in relation to the works i.e.. Laying of CC Road, CC Drain and Culvert at Chinna Rushikonda, Vadapalem, Ommivanipalem in Ward No. 08 of Zone-II under Sachivalayam 21086082, vide Agreement No. 197/2023-24/ EE-II/ DB/ dated 26.10.2023 is questioned, as the same is illegal, arbitrary and consequently direct the respondents to pay for payment of amount of Rs. 19,82,669/- vide M Book No. 145/2022-23 and CFMS Number 2023-2371325 with interest @24 percent per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith and pass

IA NO: 1 OF 2026

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 please to direct the respondents to pay for payment of amount of Rs. 19,82,669/- vide M Book No. 145/2022-23 & CFMS Number 2023-2371325 with interest @24% per annum for the delayed amount to the petitioner in respect of execution of works i.e. Laying of CC Road, CC Drain and Culvert at Chinna Rushikonda, Vadapalem, Ommivanipalem in Ward No. 08 of Zone-II under Sachivalayam 21086082, vide Agreement No. 197/2023-24/ EE-II/ DB/ dated 26.10.2023, forthwith, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. MODAPOTHULA SUMALATHA

Counsel for the Respondent(S):

1. GP MUNICIPAL ADMN AND URBAN DEV AP
2. GP FOR FINANCE PLANNING

THE HONOURABLE SRI JUSTICE HARINATH.N
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ORDER:

1. The petitioner is aggrieved by the action of the respondents in not releasing the amount of Rs.19,82,669/- vide M Book No. 145/2022-23 and CFMS Number 2023-2371325, even after finalizing the bills, payable to the petitioner in relation to the works i.e., Laying of CC Road, CC Drain and Culvert at Chinna Rushikonda, Vadapalem, Ommivanipalem in Ward No.08 of Zone-II under Sachivalayam 21086082, vide Agreement No. 197/2023-24/ EE-II/ DB/ dated 26.10.2023.
2. The learned counsel further submits that the petitioner duly executed all the works and thereafter submitted final bills, which were duly endorsed, and a quality control certificate was also issued by the competent authority. A statement detailing the works executed by the petitioner was prepared, and the progress of the work was recorded in the M-book. However, in spite of the completion of all procedural formalities, the payment towards the completed works has not been released till date.
3. Heard the submissions of the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration & Urban Development, Sri A.S.C.Bose, learned Standing Counsel for the Municipality and the learned Assistant Government Pleader for Finance and Planning.
4. During the course of hearing, the learned Standing Counsel appearing for the respondents does not dispute the submissions made by the petitioners

with respect to the completion of the work undertaken and that the non-payment of bills is due to paucity of funds.

5. Considering the submissions, the concerned respondents are hereby directed to verify and release the payments due payable to the petitioner as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:24.06.2026

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THE HONOURABLE SRI JUSTICE HARINATH.N

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Date: 25.06.2026

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