

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TENTH DAY OF JULY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 4474 OF 2024



Between:

M/s. Sri Rajeswari Agencies, Stadium Road, Rajamahendravaram, Rep. by its
Managing Partner, Chintha Krishna Reddy, S/o Vempa Reddy.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Horticulture Department, Secretariat, Velagapudi, Guntur District.
2. The Commissioner of Horticulture, Government of Andhra Pradesh, Guntur District at Guntur.
3. The East Godavari District, Co-operative Marketing Society Limited, Ramaraopeta, Kakinada, Rep. by its Chief Executive Officer.
4. The Assistant Director of Horticulture, Opposite Arts College, Rajamahendravaram, East Godavari District.
5. The State of Andhra Pradesh, Rep. by its Principal Secretary, Finance AND Planning Department, Secretariat, Velagapudi, Guntur District

...Respondents

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 order or direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents in not paying the amount of Rs.22,03,773/- for the supply of fertilizers by the petitioner as wholly illegal, arbitrary and unjust and consequently direct the respondents to

pay an amount of Rs.22,03,773/- along with interest from the date of supply, in interest of justice.

IA NO: 1 OF 2024

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 an amount of Rs.22,03,773/- towards the supply of fertilizers by the petitioner, pending disposal of WP 4474 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri K VENKATESH Advocate for the Petitioner and of GP for Agriculture for Respondent Nos.1, 2 & 4, GP for Cooperative Marketing for Respondent No.3 and of GP for Finance for Respondent No.5, the Court made the following.

ORDER:

“The present writ petition is filed challenging the action of the 3rd respondent in not paying the bills for an amount of Rs.22,03,773/- for supply of fertilizers by the petitioner.

The 3rd respondent filed counter and admitted that amount will be paid on receipt of the amount from the horticulture department and also stated that there is no willful negligence on the part of the 3rd respondent in not paying the bills

Therefore, the 3rd respondent is directed to make his endeavor to pay the amount, which was due to the petitioner, within a period of six (06) weeks from the date of receipt of a copy of the order, failing which, 3rd respondent shall pay interest @ 9% p.a. till the realization.”

SD/-SK MD RAFI
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Horticulture Department, Secretariat, Velagapudi, Guntur District.
2. The Commissioner of Horticulture, Government of Andhra Pradesh, Guntur District at Guntur. **(No's 1 to 2 by Special Messenger)**
3. The Chief Executive Officer, East Godavari District, Co-operative Marketing Society Limited, Ramaraopeta, Kakinada,
4. The Assistant Director of Horticulture, Opposite Arts College, Rajamahendravaram, East Godavari District. **(No's 3 to 4 by Special Messenger)**
5. The Principal Secretary, Finance AND Planning Department, Secretariat, Velagapudi, Guntur District **(by Special Messenger)**
6. One CC to SRI. K VENKATESH Advocate [OPUC]
7. Two CCs to GP FOR AGRICULTURE ,High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP for Finance, High Court Of Andhra Pradesh. [OUT]
9. Two CCs to GP for Cooperative Marketing,High Court Of Andhra Pradesh. [OUT]
10. **One spare copy**

HIGH COURT

TRR,J

DATED:10/07/2024

ORDER

WP.No.4474 of 2024

DIRECTION

