



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

[3331]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 4948/2026

Between:

1.S.N.V. SATYANARAYANA ,, S/O. S. TATA RAO, AGED ABOUT 42 YEARS, RIO. D. NO. 26-259, SIDDANTHAM ROAD, CHERUKUWADA VILLAGE, PENUGONDA MANDAL, WEST GODAVARI DISTRICT - 534320.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, THULLUR MANDAL, GUNTUR DISTRICT - 522237.
- 2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FINANCE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, THULLUR MANDAL, GUNTUR DISTRICT - 522237.
- 3.THE DISTRICT COLLECTOR, WEST GODAVARI DISTRICT, AT BHIMAVARAM - 534201.
- 4.THE SUPERINTENDENT ENGINEER, PANCHAYAT RAJ DEPARTMENT, ELURU, ELURU DISTRICT - 534001.
- 5.THE EXECUTIVE ENGINEER, PRI DIVISION, NARASAPURAM, WEST GODAVARI DISTRICT - 534275.

6.THE MANDAL PARISHAD DEVELOPMENT OFFICER, MANDAL PRAJA PARISHAD, PENUGONDA VILLAGE AND MANDAL, WEST GODAVARI DISTRICT - 534320.

...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 an appropriate Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS or any other appropriate writ or direction declaring the action of the respondents in not releasing the payments of Rs. 25,41,716/-, even after finalizing the bills, payable to the petitioner in relation to the works for 1) Amount of Rs. 2,36,247/-, for the work vide Agreement No. /2023-24 dated 09.11.2023 and vide M. Book. No. 346/A/PRI/2022-23, 2) Amount of Rs. 3,22,447/-, for the work vide Agreement No. /2023-24 dated 09.11.2023 and vide M. Book. No. 345/A/PRI/2022-23, 3) Amount of Rs. 8,36,731/-, for the work vide Agreement No. /2023-24 dated 06.05.2023 and vide M. Book. No. 1535B, 4) Amount of Rs. 2,66,969/-, for the work vide Agreement No. /2023- 24 dated 01.12.2023 and vide M. Book. No. 288B, 5) Amount of Rs. 5,00,000/-, for the work vide Agreement No. /2023-24 dated 01.02.2024 6) Amount of Rs. 99,898/-, for the work vide Agreement No. 55/2023-24 dated 13.02.2024 and vide M.Book No. 16/A/MPP/2023-2024, 7) Amount of Rs. 2,79,424/-, for the work vide Agreement No. 56/2023-24 dated 13.02.2024 and vide M.Book.No. 15/A/MPP/2023-2024, under GGMP plus CMDF plus MPP General Funds is as illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and consequently direct the respondent authorities to release Rs. 25,41,716/- plus GST forthwith for the above said works executed by the petitioner and pass such

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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 to direct respondents to consider for payment of amount of Rs. 25,41,716/- + GST for the works executed by the petitioner, pending disposal of the main Writ Petition and pass such

Counsel for the Petitioner:

1.ANNAMNEEDI BALAKRISHNA

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following:

::ORDER ::

The above writ petition was filed to declare the action of the respondents in not releasing the amount of Rs.25,41,716/- payable to the petitioner in relation to the works i.e. 1) Construction of CC road from Chevuri Murali House to Road Entrance at Cherukuwada (Beedu) of Penugonda (V)(M); 2) Construction of CC Road from CC road to Chevuri Murali House of (Beedu) of Penugonda (V) (M); 3) Completion of incomplete of Luthern Community Hall in Kotalaparru Village of Penugonda Mandal; 4) Construction of BC Community Hall in Dongaravipalem village of Penugonda; 5) Construction of SC Community hall in Vennapuvari Palem H/o Achanta village in Achanta Mandal; 6) Construction of Bridge (Culvert) at Beedu Road (Part-4) Penugonda (V) and (M) and 7) Construction of CC Road from Pala Suribabu (H) to Mallula Satyanarayana (H) at BC locality in Somarajucheruvu village of Penugonda (M) in pursuance of agreements dated 09.11.2023, 09.11.2023, 06.05.2023, 01.12.2023, 01.02.2024, 13.02.2024 and 13.02.2024, as illegal and arbitrary.

2. Heard Sri Annamneedi Balakrishna, learned counsel for the petitioner; Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj, for respondents 1 to 6 and Sri Chaitanya, learned counsel representing Sri Y. Koteswara Rao, learned standing counsel for respondent No.7.

3. When the matter was taken up for consideration, the learned Assistant Government Pleader for Panchayat Raj, produced the written instructions of the Executive Engineer, PRI Division, Narasapur, W.G. District and submitted

that the net amount payable to the petitioner in respect of aforementioned works 1 to 5, is Rs.20,82,880/-. Learned Assistant Government Pleader for Panchayat Raj further submitted that respondent No.8 is the competent authority to pay the amount in respect of works 6 and 7.

4. Since no instructions were furnished by respondent No.8, this court, on 15.04.2026, was constrained to pass a conditional order. Accordingly, Sri T. Surya Narayana Murthy, MPDO, appeared before this Court and submitted that the amount in respect of works 6 and 7 mentioned supra was paid to the petitioner on 31.03.2026.

5. Learned counsel for the petitioner endorses the above submission.

6. A perusal of the instructions indicates that the petitioner has executed the aforementioned works. It further indicates that the gross amount in respect of works 1 to 5, is Rs.23,28,849/-, and after QC recovery/withheld amount of Rs.2,45,969/-, the net amount payable to the petitioner is Rs.20,82,880/-. The written instructions are made as part of the record.

7. Thus, as seen from the instructions, there is no dispute regarding the execution of works and the petitioner's entitlement for Rs.20,82,880/-. 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.”

¹ 2025 SCC online SC 1400

8. Given the instructions furnished by Executive Engineer, PRI Division, Narasapur, W.G. District, the Writ Petition is disposed of, directing the respondents to release an amount of Rs.20,82,880/- payable to the 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: 22.04.2026
IKN

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 4948 of 2026

Date: 22.04.2026
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