

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

FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE
PRESENT



THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 7101 OF 2025

Between:

1. M. Munirathnam
S/o M. Venkata Swamy, aged about 69 years
4-59, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
2. N. Karuna Moorthy
S/o M. Munirathnam, aged about 46 years
4-63-1, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District
3. N. Vara Prasad
S/o N. Munirathnam, aged about 41 years
4-59, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District
4. Girijamma
W/o N. Munirathnam, aged about 59 years
4-59, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District
5. N. Raja Gopal
S/o N. Venkata Swamy, aged about 55 years
4-63, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District
6. N. Muna Swamy
S/o N. Venkata Swamy, aged about 83 years
4-60, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District
7. P. Pushpamma
W/o N. Babu, aged about 54 years

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4-63, Harijanawada, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.

8. N. Thirupal Reddy
S/o N. Kuppi Reddy, aged about 45 years
Avala Kandriga, Vinjam,
Gangadhara Nallore Mandal,
Chittoor District.
9. B. Valli Saheb
S/o B. Bakshu Saheb, aged about 73 years
Avala Kandriga, Vinjam,
Gangadhara, Nallore Mandal,
Chittoor District.
10. G. Vimalamma
W/o G. Chinna Swamy Reddy, aged about 53 years
Avala Kandriga, Vinjam,
Gangadhara Nallore Mandal,
Chittoor District.
11. N. Subbamma
W/o N. Chandraya Reddy, aged about 38 years
Avala Kandriga, Vinjam,
Gangadhara Nallore Mandal,
Chittoor District.
12. B. Mohammad Rafi
S/o B. Valli Saheb, aged about 43 years
Indira Nagar, Vinjam,
Gangadhara Nallore Mandal,
Chittoor District.
13. A. Hari Babu
S/o A. Mogili Reddy, aged about 45 years,
2-15, Mittoor, Vengam Palle, Puthramaddi,
Irala Mandal, Chittoor District.
14. Y. Sivananda Reddy
S/o A. MoY. Venkat Reddy, aged about 74 years,
3-39, Kurpa Palle, Puthramaddi,
Irala Mandal, Chittoor District.
15. P. Hari Babu

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S/o P.Veerabadraiah, aged about 41 years,
3/118a, Mittoor, Vengam Palle,
Irala Mandal, Chittoor District.

16. B. Adi Lakshmi
W/o B. Venugopal, aged about 54 years
6-6, Gandhipuram, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
17. Sri T. Dorai Raj
S/o T. Chengalrayalu, aged about 74 years
9-31, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
18. M. Sampooramma
W/o M. Shanmugam, aged about 57 years
9-49, B.L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District
19. R. Mahendra
S/o R. Gopal, aged about 54 years
9-53, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
20. M. Murali
S/o M. Shanmugam, aged about 40 years
9-49, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
21. M. Mogilaiah
S/o M. Chinna Swamy, aged about 64 years
9-52, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
22. R. Lakshmi
W/o R. Kumar, aged about 64 years
9-66, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
23. R. Kamma
W/o M. Mogilaiah, aged about 59 years
9-54, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.
24. T. Dasu
S/o T. Chengalrayalu, aged about 53 years

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9-35, B. L. Kandiga, Ragimanupenta,
Bangarupalem Mandal, Chittoor District.

...Petitioners

And

1. The State of Andhra Pradesh,
Rep by its Principal Secretary,
Agriculture Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
2. The State of Andhra Pradesh,
Rep by its Principal Secretary,
Finance Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
3. The Commissioner and Director of Agriculture Department,
Government of Andhra Pradesh
Old Mirchi Yard, Nallapadu Road,
Chuttugunta, Guntur District.
4. The Joint Director of Agriculture,
Chittoor, Chittoor District.
5. The District Agriculture Office,
Chittoor, Chittoor District
6. The Deputy Director of Agriculture,
Chittoor, Chittoor District.
7. The Assistant Director of Agriculture (Soil Conservation),
Madanapalli, Annamayya District.
8. The Agriculture Officer (Soil Conservation),
Madanapalli, Annamayya 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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents herein not releasing the total bills amount worth of Rs.21,10,189/- (Rupees Twenty one lakhs ten thousand one hundred and eighty nine only) with interest @ 12% p.a., as per the Judgment of this Hon'ble Court In W.P. No.19525/2021 (W.P. No. 10038/2021 & Batch) dated 05.10.2021 under grant of PMKSY to the petitioner till today after completion of execution of subsidy portion for PMKSY 2018-19 Under PMKSY Scheme Various works in Chittoor Division, Chittoor District, and causing heavy loss with Interest even though the work was completed within time as illegal arbitrary and violative of Article 14, 16 and 21 of the Constitution of India and consequentially direct the Respondents to release and pay the total bills amount of Rs.21,10,189/- (Rupees Twenty one lakhs ten thousand one hundred and eighty nine only) with Interest under grant of PMKSY forthwith to the petitioner.

IA NO: 1 OF 2025

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 release and pay the total bills amount worth of Rs.21,10,189/- (Rupees Twenty one lakhs ten thousand one hundred and eighty nine only) with Interest under grant of PMKSY forthwith to the petitioner, pending disposal of the above writ petition.

Counsel for the Petitioners: SRI SRINIVASA RAO NARRA

Counsel for the Respondent Nos.1, 3 to 8: GP FOR AGRICULTURE

Counsel for the Respondent No.2: GP FOR FINANCE AND PLANNING

The Court made the following: ORDER



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

[3328]

**FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 7101/2025

Between:

- 1.M. MUNIRATHNAM, M. MUNIRATHNAM S/O M. VENKATA SWAMY,
AGED ABOUT 69 YEARS 4-59, HARIJANAWADA, RAGIMANUPENTA,
BANGARUPALEM MANDAL, CHITTOOR DISTRICT.
- 2.N. KARUNA MOORTHY, S/O M. MUNIRATHNAM, AGED ABOUT 46
YEARS 4-63-1, HARIJANAWADA, RAGIMANUPENTA,
BANGARUPALEM MANDAL, CHITTOOR DISTRICT
- 3.N. VARA PRASAD, S/O N. MUNIRATHNAM, AGED ABOUT 41 YEARS
4-59, HARIJANAWADA, RAGIMANUPENTA, BANGARUPALEM
MANDAL, CHITTOOR DISTRICT
- 4.GIRIJAMMA, W/O N. MUNIRATHNAM, AGED ABOUT 59 YEARS 4-
59, HARIJANAWADA, RAGIMANUPENTA, BANGARUPALEM
MANDAL, CHITTOOR DISTRICT
- 5.N. RAJA GOPAL, S/O N. VENKATA SWAMY, AGED ABOUT 55YEARS
4-63, HARIJANAWADA, RAGIMANUPENTA, BANGARUPALEM
MANDAL,CHITTOOR DISTRICT
- 6.N. MUNA SWAMY, S/O N. VENKATA SWAMY, AGED ABOUT 83
YEARS 4-60, HARIJANAWADA, RAGIMANUPENTA,
BANGARUPALEM MANDAL, CHITTOOR DISTRICT
- 7.P. PUSHPAMMA, W/O N. BABU, AGED ABOUT 54 YEARS 4-63,
HARIJANAWADA, RAGIMANUPENTA, BANGARUPALEM MANDAL,
CHITTOOR DISTRICT.
- 8.N. THIRUPAL REDDY, S/O N. KUPPI REDDY, AGED ABOUT 45
YEARS AVALA KANDRIGA, VINJAM, GANGADHARA NALLORE

MANDAL, CHITTOOR DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, AGRICULTURE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
3. THE COMMISSIONER AND DIRECTOR OF AGRICULTURE DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH OLD MIRCHI YARD, NALLAPADU ROAD, CHUTTUGUNTA, GUNTUR DISTRICT.
4. THE JOINT DIRECTOR OF AGRICULTURE, CHITTOOR, CHITTOOR DISTRICT

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. SRINIVASA RAO NARRA

Counsel for the Respondent(S):

1. GP FOR AGRICULTURE
2. GP FOR FINANCE PLANNING

The Court made the following:

ORAL ORDER:

Heard Sri M. Narendra Babu, learned Counsel appearing on behalf of Sri Narra Srinivasa Rao, learned Counsel for the Writ Petitioners and Sri A. Krishna Kishore, learned Assistant Government Pleader appearing for Respondents.

2. The present Writ Petition is filed seeking the following prayer :

"pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents herein not releasing the total bills

amount worth of Rs.21,10,189/- (Rupees Twenty one lakhs ten thousand one hundred and eighty nine only) with interest @ 12% p.a., as per the Judgment of this Hon'ble Court In W.P. No.19525/2021 (W.P. No. 10038/2021 & Batch) dated 05.10.2021 under grant of PMKSY to the petitioner till today after completion of execution of subsidy portion for PMKSY 2018-19 Under PMKSY Scheme Various works in Chittoor Division, Chittoor District, and causing heavy loss with Interest even though the work was completed within time as illegal arbitrary and violative of Article 14, 16 and 21 of the Constitution of India and consequentially direct the Respondents to release and pay the total bills amount of Rs.21,10,189/- (Rupees Twenty one lakhs ten thousand one hundred and eighty nine only) with Interest under grant of PMKSY forthwith to the petitioner and pass"

3. Sri A. Krishna Kishore, learned Assistant Government Pleader has submitted the Written Instructions furnished by the District Agriculture Officer, Chittoor dated 13.03.2025. Copy of it is served on the Counsel for the Writ Petitioner and the same is taken on record.

4. The said Written Instructions would indicate that the claim made by the Writ Petitioner is admitted to an extent of Rs.21,10,189/-. It is submitted in the Written Instructions that the said amount could not be sanctioned due to the non-availability of budget under the PMKSY Scheme, 2018-19. It is also stated that as soon as the budget is received, the subsidy amount will be deposited in the Petitioners' Bank Account through an online transfer, and the same will be informed to the Writ Petitioner. The said Written Instructions would also indicate that the Official Respondents are seeking about three to four months' time to enable the Government to settle the dues of the Petitioner.

5. The relevant portion of the Written Instructions is usefully extracted hereunder:

"In this regard the respondents humbly submitted that, as per the available records, the petitioners have been executed the works pertaining to construction of Mini Percolation Tanks, Secondary Water Harvesting Structures and Farm ponds in their clusters and submitted the bills for Rs.21,10,189/- through the

Deputy Director of Agriculture (SC), Chittoor for sanction of subsidy amount under PMKSY Scheme during the year 2018-19.

It is respectfully submitted that, the total amount of Rs.21,10,189/- (Rupees twenty one lakhs ten thousands one hundred and eighty nine only) has not been sanctioned due to non availability of budget under PMKSY 2018-19.

It is respectfully submitted that, it is being pursued by the District Agricultural Officer, Chittoor for release of budget for settlement of pending bills, soon after receipt of the budget the Subsidy amount will be paid to the beneficiaries bank accounts through online transfer and the same will be informed to the beneficiaries.

It is respectfully submit to request that 3 to 4 months time may kindly be provided to obtain the budget from the Government."

6. Having regard to the above extract, this Court deems it appropriate to allow the Writ Petition at the admission stage, giving a direction to the Competent Authority to settle the dues of the Writ Petitioners within a period of three (03) months from today by depositing the said amounts into the Bank Account of the Writ Petitioners.

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

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

//TRUE COPY//

**Sd/- M SRINIVAS
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary, Agriculture Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
3. The Commissioner and Director of Agriculture Department, Government of Andhra Pradesh Old Mirchi Yard, Nallapadu Road, Chuttugunta, Guntur District.

4. The Joint Director of Agriculture, Chittoor, Chittoor District.
5. The District Agriculture Office, Chittoor, Chittoor District.
6. The Deputy Director of Agriculture, Chittoor, Chittoor District.
7. The Assistant Director of Agriculture(Soil Conservation), Madanapalli, Annamayya District.
8. The Agriculture Office(Soil Conservation), Madanapalli, Annamayya District.
9. One CC to Sri Srinivasa Rao Narra, Advocate [OPUC]
10. Two CCs to GP for Agriculture, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP for Finance and Planning, High Court of Andhra Pradesh. [OUT]
12. Three CD Copies.

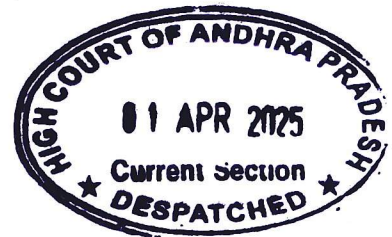
ssb

HIGH COURT

DATED:21/03/2025

ORDER

WP.No.7101 of 2025



**ALLOWING THE W.P. AT THE ADMISSION STAGE,
WITHOUT COSTS**