



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

[3331]

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 7131/2026

Between:

1. SRI MANDALAPU GANDHI CHOWDARY,, S/O. SESHIAH NAYUDU,
AGED ABOUT 69 YEARS, R/O. KALIKIVAYA (V), PRAKASAM
DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHYAT RAJ DEPARTMENT, SECRETARIAT,
VELAGAPUDI, GUNTUR DISTRICT-522237
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY TO GOVERNMENT, DEPARTMENT OF FINANCE AND
PLANNING, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT-
522237
3. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL
DEVELOPMENT TADEPALLE, GUNTUR DISTRICT-522501
4. THE DISTRICT COLLECTOR, PRAKASAM DISTRICT-523001
5. THE PROJECT DIRECTOR, DWMA, ONGOLE, PRAKASAM
DISTRICT-523001
6. THE EXECUTIVE ENGINEER, P.R.I DIVISION, KANDUKUR,
PRAKASAM DISTRICT-523002

7.THE KALIKIVAYA GRAM PANCHAYAT, REP, BY ITS SECRETARY,
KALIKIVAYA (V), PRAKASAM DISTRICT-523101

...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 topleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondent authorities in not releasing an amount of Rs. 3,62,708/- to the petitioner for the execution of above mentioned works, respectively as arbitrary, illegal, contrary to Law and against the Principles of Natural Justice and against the Norms of the Public Policy and to issue consequential direction directing the respondent authorities to release the amounts payable to the petitioner with an interest at 6percent per annum and to pass

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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 the respondent authorities to release an amount of Rs. 3,62,708/- to the petitioner for execution of the above mentioned work, pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1.VENKAT SAILENDRA G

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR REVENUE

3.Mattegunta.Sudhir,Standing Counsel For Z.P.Ps,M.P.Ps,Gram Panchayats

4.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER::

Heard Sri Venkat Sailendra G., learned counsel for the petitioner; Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development and Finance for respondents 1 to 6 and Sri S. Hruthik, learned counsel representing Sri M. Sudhir, learned standing counsel for respondent No.7.

2. The above writ petition was filed to declare the action of the respondents in not releasing the amount of Rs.3,62,708/- payable to the petitioner in relation to the works executed vide work IDs 087045602002080016, 087045602002080035, 087045602002080036, 087045602002080014, 087045602002080013, 087045602002080015, 087045602002080012 and 087045602002080017, as illegal and arbitrary.

3. Today when the matter is taken up, learned Assistant Government Pleader for Panchayat Raj, submitted instructions of the Executive Engineer, PRI Division, Kandukur.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned works and the amount payable to the petitioner is Rs.3,62,708/-, subject to statutory deductions, if any. The written instructions are made as part of the record.

5. Learned counsel for the petitioner endorses the same. Learned counsel undertakes to pay the deficit court fee of Rs.700/- within one week from the receipt of the order copy and file a memo to that effect. The same is recorded.

6. Thus, as seen from the instructions there is no dispute regarding the execution of the aforementioned works and the petitioner's entitlement for amount of Rs.3,62,708/-. 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.”

7. Given the instructions furnished by the Executive Engineer, PRI Division, Kandukur, the Writ Petition is disposed of directing the respondents to release an amount of Rs.3,62,708/- (Rupees Three Lakhs Sixty Two Thousand Seven Hundred and Eight only) payable to the petitioner regarding execution of aforementioned works, subject to deductions, if any, within two (02) months from the date of receipt of the copy of this order. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

Date: 21.04.2026
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¹ 2025 SCC online SC 1400

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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