

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

**FRIDAY, THE TWENTY FIFTH DAY OF APRIL,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 7756 OF 2025



Between:

Suvarnarekha Mamidi Ritula Sangam, 1-53, Somalingapuram Village,
Merakamudidam Mandal, Vizianagaram, Rep.by its President, Siruvuru
Narayana Murthy Raju, S/o.Late Venkatapathi Raju, Aged about 68 years,
Occ. Cultivation, Rajula Street, Somalingapuram Village, Merakamudidam
Mandal, Vizianagaram District, A.P -535102.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Horticulture Department, Secretariat Buildings, Velagapudi,
Amaravathi.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Finance Department, Secretariat Buildings, Velagapudi, Amaravathi.
3. The Commissioner of Horticulture, Government of Andhra Pradesh,
Department of Horticulture, Guntur, Guntur District, Andhra Pradesh.
4. The District Horticulture Officer, Vizianagaram District at
Vizianagaram, Andhra Pradesh.
5. The Comprehensive Financial Management System (CFMS),
Ministry of Finance, Government of Andhra Pradesh, Rep. by its
Chief Executive Officer, Anjaneya Towers, Bhimaraju Gutta,
Ibrahimpattanam, Krishna District, Andhra Pradesh.

...Respondents

Petition under Article 226 of the Constitution of India is filed 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 declaring the action of the Respondents for not releasing the admitted subsidy amount of Rs.9,37,500/- (in words Nine Lakhs Thirty Seven Thouand Five Hundred Only) is illegal, arbitrary and violation of Article 14, 19, and 21 of the Constitution of India and consequently direct the respondents to pay the amount of Rs. 9,37, 500/- (in words Nine Lakhs Thirty Seven Thousand Five Hundred Only) with interest;

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents to pay the amount of Rs.9,37,500/- (in words Nine Lakhs Thirty Seven Thouand Five Hundred Only) into the petitioner account, pending disposal of WP.No.7756 of 2025, 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 B.Manjeeth, Ld Counsel representing Sri Dasari.S.V.V.S.V.Prasad, Advocate for the Petitioner and Sri P.Rajesh Kumar, Ld Asst. Government Pleader for Finance and Planning and Sri Krishna Kishore, Ld. Asst. Government Pleader for Agriculture appearing for Respondent Nos.1, 3 and 4, the Court made the following;

ORDER:

“Heard Sri B. Manjeeth, Ld. Counsel representing Sri Dasari S.V.V.S.V. Prasad, Ld. Counsel for the Writ Petitioner, Sri P. Rajesh Kumar, Ld. Asst. Government Pleader for Finance and Planning and

Sri Krishna Kishore, Ld. Asst. Government Pleader for Agriculture appearing for Respondent Nos.1, 3 and 4.

2. Sri Rajesh Kumar, Ld. Asst. Government Pleader has submitted the Written Instructions dated 25.04.2025 furnished by the Deputy Secretary to Government, Finance Department. Copy of it has been served on the Ld. Counsel for the Writ Petitioner and the same is taken on record.

3. The Written Instruction would indicate that the Finance Department has already received the Bill for an amount of Rs.9,37,500/- from the Administrative Department for the Financial Year 2024-2025. But due to the closure of the Financial Year 2024-2025, the bills have lapsed and therefore, the bills were returned to the Drawing and Disbursement Officer (DDO) as per the article 39 and 50 of the Andhra Pradesh Financial Code (Vol.I).

4. Sri Krishna Kishore, Ld. Asst. Government Pleader appearing for Respondent Nos. 1, 3 and 4 is directed to obtain Written Instruction from the Commissioner of Horticulture (Respondent No.3) before next date of listing as regards the status of the Bill of the Writ Petitioner for an amount of Rs.9,37,500/-.

5. Sri Krishna Kishore, Ld. Asst. Government Pleader is directed to convey the gist of this Order to the Commissioner of Horticulture (Respondent No.3) forthwith for effective compliance.

6. List this matter on 01.05.2025 in the Motion List."

Sd/- SK. MD. RAFI
A ASSISTANT REGISTRAR

//TRUE COPY//

For A:

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Horticulture Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Principal Secretary, State of Andhra Pradesh, Finance Department, Secretariat Buildings, Velagapudi, Amaravathi.
(Addressee Nos.1 & 2 by **Special Messenger**)
3. The Commissioner of Horticulture, Government of Andhra Pradesh, Department of Horticulture, Guntur, Guntur District, Andhra Pradesh.
4. The District Horticulture Officer, Vizianagaram District at Vizianagaram, Andhra Pradesh.
5. The Chief Executive Officer, Comprehensive Financial Management System (CFMS), Ministry of Finance, Government of Andhra Pradesh, Anjaneya Towers, Bhimaraju Gutta, Ibrahimpatnam, Krishna District, Andhra Pradesh. (Addressee Nos.3 to 5 by **RPAD**)
6. One CC to Sri. Dasari.S.V.V.S.V.Prasad, Advocate [OPUC]
7. Two CCs to GP for Agriculture, High Court of Andhra Pradesh.
[OUT]
8. Two CCs to GP for Finance and Planning, High Court of AP [OUT]
9. One spare copy

MM

HIGH COURT

GRKP,J

DATED:25/04/2025

LIST THIS MATTER ON 01.05.2025 IN THE MOTION LIST

ORDER

WP.No.7756 of 2025

DIRECTION

