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APHC010150922026



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

[3327]

WEDNESDAY, THE 8th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 7875/2026

Between:

1. SURA VENKATESWARLU, S/O. VENKATARAMANAIAH, AGED 45 YEARS, OCC . AGRICULTURE, R/O. ANNAREDDYPALEM VILLAGE (DHUVURU), SANGAM MANDAL, SPSR NELLORE DISTRICT.

...PETITIONER

A N D

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF PANCHAYAT RAJ AND RURAL DEVELOPMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT..522237
2. THE DISTRICT COLLECTOR, SPSR NELLORE DISTRICT, NELLORE.-524308
3. THE DISTRICT PANCHAYAT OFFICER, SPSR NELLORE DISTRICT,NELLORE.-524308
4. THE DEPUTY EXECUTIVE ENGINEER, RWS AND S SUB DIVISION, ATMAKUR SPSR NELLORE DISTRICT.-524308
5. THE DEPUTY MPDO, SANGAM MANDAL, SPSR NELLORE DISTRICT.524308
6. ANNAREDDYPALEM GRAM PANCHAYAT, REPRESENTED BY ITS PANCHAYAT SECRETARY, ANNAREDDYPALEM VILLAGE, SANGAM MANDAL, SPSR NELLORE DISTRICT.-524308
7. THE SARPANCH, SIDDIPURAM GRAM PANCHAYAT, SIDDIPURAM VILLAGE, SANGAM MANDAL, SPSR NELLORE DISTRICT. .524308

...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 declaring the action of the respondents in not releasing the total bill amount of Rs. 4,62,881/- to the petitioner for the execution of the work of Laying HD drinking water pipe line from Paturu Padmamma agriculture fields to southern channel bridge of Annareddypalem village, Sangam Mandal, SPSR Nellore district, is illegal, arbitrary and unconstitutional and to pass

IA NO: 1 OF 2026

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 the bill amounts of Rs. 4,62,881/- to the petitioner for the execution of the work of Laying HD pipe line from Paturu Padmamma agriculture fields to southern channel bridge of Annareddypalem village, Sangam Mandal, SPSR Nellore district, as per the resolutions dt. 06-05-2025, pending disposal of the writ petition and pass

Counsel for the Petitioner:

- 1.KOTI REDDY IDAMAKANTI

Counsel for the Respondent(S):

- 1.GP FOR PANCHAYAT RAJ RURAL DEV
- 2.Mattegunta.Sudhir,Standing Counsel For Z.P.Ps,M.P.Ps,Gram Panchayats

The Court made the following:

ORDER

This Writ Petition is filed seeking the following relief:

“....to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not releasing the total bill amount of Rs.4,62,881/- to the petitioner for the execution of the work of laying HD Drinking Water pipeline from Paturu Padmamma agriculture fields to southern channel bridge of Annareddypalem village, Sangam Mandal, SPSR Nellore District, as illegal, arbitrary and unconstitutional and to pass such other order or orders...”

2. Heard learned counsel for the Writ Petitioner, learned Assistant Government Pleader for Panchayat Raj and Rural Development representing respondent Nos.1 to 5, and learned Standing Counsel for Gram Panchayat, representing respondent Nos.6 and 7.

3. The Writ Petitioner claims to be Convenor of Habitation Works Committee of Annareddypalem village, Sangam Mandal, SPSR Nellore District. The respondent No.6 passed resolution for laying new HD Pipeline for supply of drinking water from Paturu Padmamma agriculture fields to southern channel bridge of Annareddypalem village, with an estimated cost of Rs.5.00 lakhs. The said contract work was awarded to the Writ Petitioner, and accordingly the Writ Petitioner executed the entire work. Though the respondent authorities examined and scrutinized the works done by the Writ Petitioner and recorded the

same in M-Book and admitted the bill amount of Rs.4,62,881/- vide M-Book, they are not releasing the amount. The Writ Petitioner approached the respondent authorities on multiple occasions and requested for payment of pending bill amount of Rs.4,61,881/-, but they are not doing so. According to Writ Petitioner, having executed the work satisfactorily, within the prescribed time, non-payment of the bill amount was arbitrary and unjustified. It was further contended that the delay in payment is causing severe financial hardship, necessitating the filing of the present Writ Petition seeking appropriate directions for release of the outstanding amount.

4. Learned Assistant Government Pleader for Panchayat Raj and Rural Development, on written instructions received from the Assistant Executive Engineer, RWS&S Division, Sangam (M)-3rd respondent, submits that the Writ Petitioner is entitled to an amount of Rs.4,62,881/-. She further submits that the works executed by the Writ Petitioner was measured by the then Deputy Executive Engineer, RWS&S, Sub-Division, Atmakur and the bill was submitted to the Gram Panchayat of Annareddypalem for making payment. Since the work was sanctioned under the Gram Panchayat 15th Finance Commission Funds, it is the responsibility of the Gram Panchayat of

Annareddypalem to pay the bills. The written instructions are placed on record.

5. Learned Standing Counsel for Gram Panchayat representing respondent Nos.6 and 7, on written instructions, concedes with the submission made by the learned Assistant Government Pleader for Panchayat Raj. Learned Standing Counsel submits that numerous complaints were received from the villagers with regard to irregularities and misuse of development funds of the Gram Panchayat. Therefore, the Commissioner, PR&RD referred the matter to the Vigilance Department *vide* Letter No.29081/CPR/D6/2025, dated 01.08.2025, requesting a thorough enquiry into the said complaint. Subsequently, the Additional Superintendent of Police, Regl.Vig & Enft. Officer, Nellore *vide* C.No.36/V&E-NLR/Engg/DEE/2026, dated 04.02.2026 requested the Mandal Parishad Development Officer, Sangam Mandal to furnish the records for verification and to conduct inquiry on the allegations. Learned Standing Counsel further submits that the inquiry is in progress and upon completion of inquiry, and basing on the report of the Vigilance Department, appropriate action will be initiated with regard to payment for the works executed in the Gram Panchayat. The written instructions are placed on record.

6. The issue raised in the present Writ Petition is squarely covered by the Order of this Court in **Katta Chinna Kotaiah v. The State of Andhra Pradesh**¹ wherein, this Court held as under:

“The Apex Court and this Court in catena of decisions held that when there is non-payment of the undisputed bills, the same is violative of Articles 14 and 16 of the Constitution of India. The counsel for the petitioner rightly placed reliance on the decision of the Apex Court in M/s. Surya Constructions v. State of Uttar Pradesh and others [(2019) 16 SCC 794], following the judgment in ABL International Ltd. v. Export Credit Guarantee Corporation of India Ltd. [2004 (3) SCC 553]. In view of the Apex Court judgment, the contention of the learned Government Pleader that the Writ Petition is not maintainable before this Court could not be countenanced. The bills of the petitioner dated 13.03.2019 are admitted by the respondents and forwarded for payment after due measurements and obtaining quality control and the Vigilance report. Hence, the authorities are stopped from stating that the bills are submitted without executing the works. On the mere ground of pendency of Vigilance report, payment cannot be stopped. Accordingly, there shall be a direction to the respondents to pay the bill amount of Rs.8,08,828/- to the petitioner within a period of six weeks from the date of receipt of copy of this order.”

7. Further, the Hon’ble Apex Court in **Hari Krishna Mandir Trust v. State of Maharashtra and Others**² held as under: (paragraph Nos.100 and 101)

¹ MANU/AP/0721/2022.

² AIR 2020 Supreme Court 3969.

“100. The High Courts exercising their jurisdiction under Article 226 of the Constitution of India, not only have the power to issue a Writ of Mandamus or in the nature of Mandamus, but are duty-bound to exercise such power, where the Government or a public authority has failed to exercise or has wrongly exercised discretion conferred upon it by a statute, or a rule, or a policy decision of the Government or has exercised such discretion mala fide, or on irrelevant consideration.

101. In all such cases, the High Court must issue a Writ of Mandamus and give directions to compel performance in an appropriate and lawful manner of the discretion conferred upon the Government or a public authority.”

8. Having regard to the facts and circumstances of the case, since there is no dispute with regard to the works executed by the Writ Petitioner, the Superintendent of Police, Regional Vigilance and Enforcement Officer, Nellore is directed to complete the Vigilance Inquiry as against the Writ Petitioner within a period of Six (06) weeks, from the date of receipt of copy of this Order. After receipt of Vigilance Report, the respondents are directed to consider the request of the Writ Petitioner, in respect of payments for the works executed by him as per his legal entitlement, within a period of Four (4) weeks from the date of submission of Vigilance Report.

9. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs of the Writ Petition.

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

8th July, 2026.

DNB

Whether the Order is:

Speaking	✓	Reasoned	
Reportable		Non-reportable	✓