

Date of reserved for orders :

Date of pronouncement : 01.07.2026

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APHC010151972026



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

[3331]

WEDNESDAY, THE 1st DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 8279/2026

Between:

1. TALLURI UMA MAHESHWARA RAO,, S/O RAMA CHANDRA RAO,
OCC CONTRACTOR, R/O D.NO. 4-10-6/2, VIDYA NAGAR,
NIDUBROLU (V), PONNURU(M), GUNTUR DIST.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPLE
SECRETARY, IRRIGATION DEPARTMENT, SECRETARIAT
BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DIST - 523 238.

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPLE
SECRETARY, FINANCE AND PLANNING DEPARTMENT,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DIST - 523 238.

3. THE ENGINEERIN CHIEF, IRRIGATION DEPARTMENT,
AMARAVATHI, GUNTUR DIST - 523 238.

4.THE DISTRICT COLLECTOR, TENALI, GUNTUR DISTRICT - 522 004.

5.THE SUPERINTENDENT ENGINEER, IRRIGATION CIRCLE,
GUNTUR, GUNTUR DISTRICT - 522 004.

6.THE EXECUTIVE ENGINEER, K.W. DIVISION, TENALI, GUNTUR
DISTRICT - 522 202

...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 order or orders, direction or directions, Writ or Writs particularly one in the nature Writ of Mandamus or any appropriate writ declare the action of the respondents in not paying the bills for execution of works by the Petitioner work under 1. Agreement No.24KW/2024- 25, Dt. 19-07-2024. Total work amount of Rs.6,39,940/- to the petitioner with 6percent interest till to day from the date of completion of respective works as illegal, arbitrary violation of principles of natural justice and violative of Article 14, 19 (i) g, 21 of the Constitution of India, consequently direct the respondents to release the bills for the above completed works immediately with 6percent interest and to 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 may be pleased to direct the respondents to release the amount of Rs.6,39,940/- towards payment of above final bills for the contract works under taken by the petitioner long back, pending disposal of main writ petition pending disposal of the above writ petition and to pass such

Counsel for the Petitioner:

1.K L N SWAMY

Counsel for the Respondent(S):

1.GP FOR IRRIGATION COMM AREA DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER::

The above writ petition was filed to declare the action of the respondent authorities in not releasing the amount of Rs.6,39,940/- payable to the petitioner for execution of work in pursuance of agreement No.24KW / 2024-2025, dated 19.07.2024, as illegal and arbitrary.

2. Heard Sri k.l.n. Swamy, learned counsel for the petitioner and Sri S. Satish, the learned Assistant Government Pleader for Irrigation and Finance & Planning Department, for the respondents.

3. Learned counsel for the petitioner would submit that pursuant to the aforementioned agreement, the petitioner has executed the work, 'O & M for the removal of Weed growth in Appikatla Channel, Poondla Channel, Ramanappa Channel and all other branches and of Banks of Ramanappa and Poondla Channel, as per the timelines stipulated in the agreement and the same was verified by the respective authorities. However, the amount has not been paid so far.

4. Today, when the matter is taken up, Sri S. Satish, the learned Assistant Government Pleader for Irrigation and Finance & Planning Department, appearing for the respondents, submitted the written instructions furnished by the Executive Engineer, K W Division, Tenali, vide Letter No.EE/KWD/TNL/ W.P.No.8279 of 2026, dated 01.07.2026, wherein it is stated that the amount payable to the petitioner in respect of the aforementioned work is Rs.7,17,373/- and the bill is not uploaded due to non-availability of sufficient budget under the HOA.

5. Learned Assistant Government Pleader submitted that the petitioner is not entitled to interest. He placed reliance on the order, dated 11.02.2025, in W.A.No.60 of 2025 passed by the Division Bench of this Court.

6. Thus, as seen from the instructions of the Executive Engineer, K W Division, Tenali, there is no dispute regarding the execution of work and the petitioner's entitlement to the aforementioned amount. 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 & Ors¹***, 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 of the Executive Engineer, K W Division, Tenali, though there is a small variation in the amount claimed by the petitioner and the amount determined by the official, as payable to the petitioner the Writ Petition is disposed of, directing the respondents to release an amount of Rs.7,17,373/- (Rupees Seven Lakhs Seventeen Thousand Three Hundred and Seventy Three only) payable to the petitioner regarding execution of the aforementioned works, subject to deductions, if any, within three (03) months from the receipt of the copy of this order. Insofar as the interest component is

¹ 2025 SCC online SC 1400

concerned, the petitioner is at liberty to approach the civil court or appropriate forum, given the directions in W.A.No.60 of 2025. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 01.07.2026
IKN

Whether the order is :

Speaking Yes/No / Recorded Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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Date: 01.07.2026
IKN