

APHC010154532024



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

MONDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 7990 OF 2024

Between:

1. P.Bhaskar, S/o.P.Venkata Narayana, Aged about 43 years,
D.No.2/100, Kummari Street, Nallamada Village and Mandal,
Ananthapuram, Ananthapuram District, now Sri Sathya Sai District.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principle Secretary,
A.P. State Housing Corporation Limited, Secretariat Buildings,
Velagapudi, Guntur District.

2. The State of Andhra Pradesh, represented by its Principal Secretary,
Finance Department, Secretariat Buildings, Velagapudi, Amaravati,
Guntur District.

3. The Commissioner, A.P. State Housing Corporation Limited, Nirmaan
Bhavan, APIIC Colony Road, Auto Nagar, Vijayawada, NTR District.

4. The Managing Director, A.P. State Housing Corporation Limited,
Nirmaan Bhavan, APIIC Colony Road, Auto Nagar, Vijayawada, NTR
District.

5. The Project Director, DWMA, Ananthapuramu, now Sri Sathya Sai
District.

6. The District Collector, Sri Sathya Sai District, Puttaparti.

7. The Pay and Accounts Officer, A.P. State Housing Corporation Limited,
Ananthapuram District, now Sri Sathya Sai District.

8. The Superintending Engineer, A.P. State Housing Corporation Limited, Ananthapuram District, now Sri Sathya Sai District.

9. The Executive Engineer, A.P. State Housing Corporation Limited, Penukonda, Anantapuram District, now Sri Sathya Sai District.

10. The Deputy Executive Engineer, A.P. State Housing Corporation Limited, Penukonda, Anantapuram District, now Sri Sathya Sai 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 an order, writ or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in non-payment of amounts due for the last three years even after finalizing the bills, payable to the petitioner after the successful completion of the removal of boulders in 18 housing layout colonies with an extent of 68.56 acres on hourly basis Ananthapuramu District, now Sri Sathya Sai District under Pedalandariki Illu Programme as illegal, arbitrary, in violation of Article 14 of the Constitution of India and consequently direct the respondents to pay an amount of Rs. 3,00,000/- due to the petitioner in respect of execution of afore mentioned works forthwith and to pass

IA NO: 1 OF 2024

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 take steps for paying the amount of Rs. 3,00,000/- due to the petitioner, pending disposal of the writ petition and pass

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 grant leave to the Petitioner herein/ Respondent No. 8 in the W.P.No.7990 of 2024 to file counter affidavit in the above Writ Petition and pass

Counsel for the Petitioner: S KRISHNA REDDY

Counsel for the Respondents: E V JAGANNADHA RAO (SC FOR AP STATE HOUSEING COOP LTD)

Counsel for the Respondents:GP FOR FINANCE PLANNING

Counsel for the Respondents:GP FOR REVENUE

Counsel for the Respondents:MALLIKHARJUNA MOORTHY K (SC FOR A.P HOUSING CORPORATION LIMITED)

Counsel for the Respondents:GP FOR HOUSING

The Court made the following order:

HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**W.P.No.7990 OF 2024****ORDER:**

The instant writ petition has been filed under Article 226 of Constitution of India, seeking the following main relief:

“to issue an order, writ or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in non-payment of amounts due for the last three years even after finalizing the bills, payable to the petitioner after the successful completion of the removal of boulders in 18 housing layout colonies with an extent of 68.56 acres on hourly basis Ananthapuramu District, now Sri Sathya Sai District under Pedalandariki Illu Programme as illegal, arbitrary, in violation of Article 14 of the Constitution of India and consequently direct the respondents to pay an amount of Rs. 3,00,000/- due to the petitioner in respect of execution of afore mentioned works forthwith and to pass such....”

2. The sum and substance of the writ petition is that the petitioner is challenging the inaction of the respondents in not releasing the amounts even after completion of entire works entrusted by the A.P.State Housing Corporation Limited authorities in the district level.

3. Learned counsel for the petitioner submits that after completion of allotted works, the concerned housing authorities addressed a letter / communication to the revenue authorities to release the amount in favour of the petitioner.

4. The learned counsel for the petitioner further elaborated that inspite of repeated representations preferred by the petitioner to all the respondents, they have not released the bill amounts which leads to multifarious problems. In fact, the petitioner by availing loans from different sources, he spent huge amounts on the works. As he is not getting the bill amounts, which directly affects his right to life as envisaged under Articles 21 and 300-A of the Constitution of India.

5. He further asserted that the Government of Andhra Pradesh issued G.O.Rt.No.1454 Revenue (DA & LR) Department, dated 18.12.2019 where under the Government specifically allotted Rs.100 crores to each District Collector towards the budget for Navaratnalu – Pedalandariki Illu, for the financial year 2019-20. Hence, he prayed this Court to pass necessary orders in the lis.

6. On the other hand, the learned Standing Counsel Sri K. Mallikharjuna Moorthy, by referring to the counter affidavit asserted that due to administrative exigencies and intra-departmental correspondence between the housing corporation authorities as well as revenue authorities, which leads to delay in payment of bill amounts.

7. The learned Assistant Government Pleader for Revenue also submits that the concerned District Collector also addressed a letter to

the A.P. Housing Corporation Authorities to release the bills amounts towards the petitioner and others.

8. Heard Mr.S.Krishna Reddy, learned counsel for the petitioner and Sri K.Mallikharjuna Moorthy, Standing Counsel for A.P. Housing Corporation Limited and also learned Assistant Government Pleader for Revenue and gone through the material on record.

9. After going through the relevant material on record and also the specific averments made in the counter affidavit, it is made clear that the respondent authorities i.e. Housing Corporation Authorities and Revenue Authorities are not at all disputing the factum of entrustment of work in favour of the petitioner and duly completion of said works by the petitioner.

10. However, the respondent authorities are projecting their respective versions in view of intra-departmental communication there is some ambiguity that who has to pay the amounts. On one hand, the learned counsel for the petitioner as well as learned Standing Counsel for Housing Corporation brought to the notice of this Court about G.O.Rt.No.1454 Revenue (DA & LR) Department, dated 18.12.2019, issued by the 1st respondent where under Rs.100 crores were sanctioned to each District Collector towards the Navaratnalu/Pedalandariki Illu-

Budget allotted for the Financial Year 2019-20 so as to meet the expenditure under YSR Gruha Vasathi Scheme.

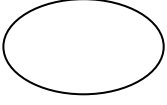
11. Thus, in view of the above facts and circumstances, it is not at all disputed the factum of work entrusted to the petitioner and more so completion of work by the petitioner without any iota of doubt, the grievance is only release of amounts by which department, undisputably, all the respondents are neither the State nor instrumentalities of the State only. Hence, this Court is hereby directed all the respondents to release the admitted amount of Rs.3,00,000/- in favour of the petitioner, as early as possible, preferably, within a period of three (03) months from the date of receipt of copy of this order.

12. With the above direction, the writ petition is disposed of.

There shall be no order as to costs. Miscellaneous petitions pending if any, shall stand closed.

MAHESWARA RAO KUNCHEAM, J

Date:27.04.2026
Rns



THE HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION No.7990 of 2024

Date:27.04.2026

Rns