



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

[3504]

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 9218/2026

Between:

1.M/S MPR CONSTRUCTIONS, REP.BY. MANAGING PARTNER, M.
PRASAD REDDY, AGED 50 YEARS, D.NO.4-271, MUDDANUR ROAD,
YERRAGUNTIA, KADAPA DISTRICT, A.P.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, EDUCATION DEPARTMENT, SECRETARIAT BUILDING,
VELAGAPUDI, AMARAVATHI, GUNTUR.522238

2.THE SUPERINTENDING ENGINEER, APEWIDC, KADAPA, KADAPA
DISTRICT. 516001

3.THE EXECUTIVE ENGINEER, A.P.E.W.I.D.C.KADAPA , KADAPA
DISTRICT. 516001

4.THE DISTRICT COLLECTOR, YSR DISTRICT AND CHAIRMAN PADA,
KADAPA DISTRICT.516001.

5.THE PAY AND ACCOUNT OFFICER, KADAPA DISTRICT. 516001

6.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY DEPARTMENT OF FINANCE AND PLANNING,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT. 522238

...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 Respondents in withholding the Payments Rs.1,24,16,957/- (Rupees One

Crore Twenty Four Lakhs Sixteen Thousand Nine Hundred and Fifty Seven only) for the year 2023, even after finalizing the bills, payable to the petitioner in relation to the works Construction of Incomplete Government polytechnic Collage Building (Block-C) at Vempalli (V and M) in YSR 151.00 Lakhs, Agreement with interest @ 24 percent per Estimate Cost of Rs. no.33/SE/AEE/2023-24, Date 21.08.2023 annum for the delayed amount till date of realization for the works District executed by the petitioner and 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 respondents to releasing the Payments of Rs.1,24,16,957/- (Rupees One Crore Twenty Four Lakhs Sixteen Thousand Nine Hundred and Fifty Seven only) payable to the Petitioner herein, pending disposal of the write petition and pass

Counsel for the Petitioner:

1. DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent(S):

1. V CH NAIDU
2. GP FOR SCHOOL EDUCATION
3. GP FOR FINANCE PLANNING

The Court made the following:

HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**WRIT PETITION NO.9218/2026****ORDER:**

This Writ Petition under Article 226 of the Constitution of India is filed seeking the following main relief:

“declaring the action of the Respondents in withholding the Payments Rs.1,24,16,957/- (Rupees One Crore Twenty Four Lakhs Sixteen Thousand Nine Hundred and Fifty Seven only) for the year 2023, even after finalizing the bills, payable to the petitioner in relation to the works, i) Construction of Incomplete Government polytechnic Collage Building (Block-C) at Vempalli (V & M) in YSR District – Estimate cost of Rs.151.00 Lakhs, Agreement no.33/SE/AEE/2023-24, Date 21.08.2023” with interest @ 24% per annum for the works executed by the petitioner and pass”

2. The sum and substance of the writ petition is that the petitioner challenged the inaction of the respondents in not releasing the amounts even after completion of the entire works entrusted to him.
3. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Finance & Planning and Sri L. Radha Krishna, learned counsel representing Sri V.Ch.Naidu, learned Standing Counsel for the respondent Corporation.
4. Learned counsel for the petitioner, while reiterating the averments made in the writ affidavit, submits that in view of the non-release of the admitted amounts, the petitioner is facing multifarious problems, physically and fiscally. Hence, he submits that the release of the amounts is just and essential.

5. On the other hand, learned counsel for the respondent Corporation, places a copy of the written instructions dated 29.04.2026 issued by the concerned Corporation authorities, and submits that the bills amount of Rs.1,11,38,833.44ps (Rupees One Crore Eleven Lakhs Thirty Eight Thousand Eight Hundred and Thirty Three Forty Four Paise only) and admitted amounts are under process for making payment. He submits that ten months' time may be granted for paying the admitted amounts to the petitioner. He further submits that though the petitioner claimed total amount of Rs.1,24,16,957/-, he is entitled to get Rs.1,11,38,833.44ps only.

6. Since it is not in dispute that the petitioner completed the works and has yet to receive payment, as evident from the written instructions dated 29.04.2026 of the concerned respondent Corporation authority, this Court finds the respondents' failure to pay is unjustified. However, taking into consideration of the ground realities to settle the admitted amounts, the respondents are granted rational time to settle the dues.

7. The respondent Corporation, being the instrumentality of the 'State' within the meaning of Article 12 of the Constitution of India, is bound to release the amount for the undisputed works done by the petitioner, without any further delay. A mere financial incapacity or paucity of funds cannot be a valid defence for non-fulfilment of such

statutory obligations, more particularly, when the works executed by the petitioner are admitted by the respondent Corporation.

8. So far as the interest portion is concerned, the Hon'ble Division Bench in the case of ***Managing Director & Ors. Vs. Sree Balaji Constructions & Ors.*** (Writ Appeal No.60 of 2025) held that the award of interest on delayed payments was unsustainable in the absence of specific terms and conditions of the relevant agreement between the parties, but in the instant case, the learned counsel for the petitioner has not touched on the said point. However, the Hon'ble Division Bench in similar circumstances made it clear that the parties are at liberty to pursue their claims in respect of the interest portion before an appropriate forum in accordance with Law.

9. In the light of the above legal position, coupled with the fact that the liability for the undisputed works was admitted by the respondents, the writ petition is disposed of with a direction to the respondents to release the amount of Rs.1,11,38,833.44ps (Rupees One Crore Eleven Lakhs Thirty Eight Thousand Eight Hundred and Thirty Three Forty Four Paise only) payable to the petitioner, within a period of ten (10) months, from the date of receipt of copy of this order. It is needless to say that the petitioner is at liberty to approach the appropriate forum with regard to interest, if so advised.

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

Date: 29.04.2026
GVK

MAHESWARA RAO KUNCHEAM, J

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THE HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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Date: 29.04.2026

GVK

