



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

[3331]

MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 9717/2025

Between:

1. BEZAWADA VENKATA SIVA RAMA PRASAD GOUD, S/O
SAMBASIVA RAO, AGED ABOUT 47 YEARS, R/O 8-16/1,
GODAVARRU VILLAGE, N.T.R DISTRICT, (ERSTWHILE KRISHNA
DISTRICT). DISTRICT, ANDHRA PRADESH 521151

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS , PRINCIPAL
SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL
DEVELOPMENT DEPARTMENT, AP SECRETARIAT BUILDINGS,
VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH 522238.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS , PRINCIPAL
SECRETARY TO GOVERNMENT FINANCE AND , PLANNING
DEPARTMENT AP SECRETARIAT BUILDINGS, VELAGAPUDI,
GUNTUR DISTRICT, ANDHRA PRADESH 522238.
3. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL
DEVELOPMENT DEPARTMENT, GOVERNMENT OF ANDHRA
PRADESH, 12-47, PVS ICON, 4TH FLOOR, PATHURU, X-ROADS,
BESIDE RELIANCE DIGITAL, TADEPALLI, GUNTUR DISTRICT
522501.
4. THE DISTRICT COLLECTOR, MACHILIPATNAM N.T.R DISTRICT -
521001.
5. THE CHIEF ENGINEER MGNREGS, PANCHAYAT RAJ AND RURAL

DEVELOPMENT DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, Z.P. COMPOUND, MG ROAD VIJAYAWADA N.T.R DISTRICT 520010.

6. THE SUPERINTENDING ENGINEER P R CIRCLE, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, MACHILIPATNAM AT VIJAYAWADA N.T.R DISTRICT 520010.
7. THE PROJECT DIRECTOR, DWMA, MACHILIPATNAM N.T.R DISTRICT. 521001.
8. THE EXECUTIVE ENGINEER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT GOVERNMENT OF ANDHRA PRADESH MG ROAD, VIJAYAWADA 520010. N.T.R DISTRICT.
9. THE EXECUTIVE ENGINEER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT GOVERNMENT OF ANDHRA PRADESH MACHILIPATNAM N.T.R DISTRICT. 521001.
10. THE DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT GOVERNMENT OF ANDHRA PRADESH KANKIPADU VILLAGE AND MANDAL N.T.R DISTRICT 521151.
11. THE ASSISTANT ENGINEER, MANDAL PRAJA PARISHAD, KANKIPADU VILLAGE AND MANDAL N.T.R DISTRICT 521151.

...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 a writ, order, or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents in not releasing an amount of Rs. 8,72,473.61/- in connection with Work id 067062011080020, Work Id 067062011080019, Work Id 067062011080028, work id 067062011080027 for successfully completed cc roads in Godavarru Village of Kankipadu Mandal is illegal, irregular, irrational, in violation of principles of natural justice, further contradicts Articles 14, 19 and 21 of the Constitution of India and MGNREGA Act, 2005 and rules framed there under and consequently direct respondents to facilitate method by paying Rs. 8,72,473.61/- along with interest at 12PERCENT 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 direct the respondents to release payment of Rs. 8,72,473.61/- to petitioner in connection with 067062011080020, 067062011080019, work id Work Id work id 067062011080028, 067062011680027 for successfully completed cc roads in Godavarru Village of Kankipadu Mandal and pass

IA NO: 2 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 direct the respondents to consider petitioners representation dt. February 02, 2025 and direct respondent to pass appropriate orders during pendency of this writ petition and pass

Counsel for the Petitioner:

1.V.N.V.SURYA DATTU

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER::

Heard Sri V.N.V.Surya Dattu, learned counsel for the petitioner and Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development, Finance and Planning for the respondents.

2. The above writ petition was filed to declare the action of the respondents in withholding the balance amount of Rs.8,72,473.61/- in relation to the work executed by the petitioner i.e., Providing Internal CC Roads in Godavarru Village of Kankipadu Mandal vide Work I.D.Nos.067062011080020, 067062011080019, 097062011080028 and 067062011080027, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, the learned Assistant Government Pleader for Panchayat Raj and Rural Development submitted instructions of the Executive Engineer, PRI Division, Machilipatnam – 9th respondent dated 10.02.2026.

4. As seen from the instructions, the total value of the work done by the petitioner in relation to the aforementioned works is Rs.63,53,075/-. Out of the same, an amount of Rs.56,28,179/- was already paid to the petitioner, and the balance amount payable to the petitioner is Rs.7,24,896/-.

5. In reply, learned counsel for the petitioner, endorses that the balance amount payable to the petitioner is Rs.7,24,896/-.

6. Thus, as seen from the instructions and the submission of learned counsel on either side, there is no dispute regarding the balance amount of Rs.7,24,896/- payable to the petitioner. 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 & Ors***¹, 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

¹ 2025 SCC online SC 1400

of fact which by their very nature cannot be adjudicated upon without recording formal evidence.”.

7. Given the submission of learned counsel on either, the Writ Petition is disposed of directing the respondents to release the balance amount of Rs.7,24,896/- (Rupees Seven Lakhs Twenty Four Thousand Eight Hundred and Ninety Six only) payable to the petitioner regarding execution of the aforementioned work, within two (02) months from the date of receipt of the copy of this order. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 16.02.2026
SNI

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 9717 of 2025

Date: 16.02.2026
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