



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

[3331]

WEDNESDAY, THE 5th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 10303/2026

Between:

1.M/S BANDLAMUDI CONSTRUCTIONS, PROP BANDLAMUDI PRASAD, AGED ABOUT 50 YEARS, D/O. 5-126, SIRIPURAM VILLAGE, MEDIKONDURU MANDAL, GUNTUR DISTRICT, A.P.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, WATER RESOURCES DEPARTMENT ROOM NO. 216, 1ST FLOOR, 4TH BLOCK, A.P. SECRETARIAT OFFICE, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH 522238

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, ROOM NO. 287, 1ST FLOOR, 2ND BLOCK, A.P. SECRETARIAT OFFICE, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH 522238

3.THE COMMISSIONER, COMMAND AREA DEVELOPMENT AUTHORITY (CADA) VYSYA BHAVAN, 4TH AND 5TH FLOOR, D.NO. 14-7-29, NAMBURI GOPAL RAO STREET, HANUMANPET, VIJAYAWADA, NTR DISTRICT, ANDHRA PRADESH 520003

- 4.THE DISTRICT COLLECTOR, DISTRICT COLLECTOR AND MAGISTRATE OFFICE, COLLECTOR OFFICE ROAD, NAGARAMPALEM, GUNTUR, ANDHRA PRADESH 522004
- 5.THE SUPERINTENDING ENGINEER, NSJC O AND M CIRCLE, LINGAMGUNTIA, VIA NARASARAOPET, GUNTUR DISTRICT, ANDHRA PRADESH 522402.
- 6.THE EXECUTIVE ENGINEER, NSJC O AND M DIVISION, BESIDE R AND B GUEST HOUSE, SATTENAPALLI, PALNADU DISTRICT ANDHRA PRADESH 522403.
- 7.THE DEPUTY EXECUTIVE ENGINEER, NSJC O AND M SUB-DIVISION, BESIDE R AND B GUEST HOUSE, SATTENAPALLI, PALNADU DISTRICT, ANDHRA PRADESH 522403.

...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 any writ, order or Direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondents in withholding the payment of final bill amount of Rs. 55,42,723/- (Rupees Fifty five lakhs forty two thousand seven hundred and twenty three only), even after finalizing the bills payable to the petitioner in relation to the execution of work executed under O and M Medikonduru (M), Phirangipuram (M), Yadlapadu (M) of Guntur District illegal, arbitrary and contrary to the principles of natural justice and consequently direct the respondents to pay the amount along with interest 24 percent per annum from the date of execution of the work to the account of the as 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 pass an interim order directing the respondent authorities to release the amount of Rs. 55,42,723/- (Rupees Fifty five lakhs forty two thousand seven hundred and twenty three only) to the petitioner along with interest @ 24% per annum as per the entitlement for the execution of the work executed

under O&M programme in the Medikonduru (M), Phirangipuram (M), Yadlapadu (M) of Guntur District until disposal of the above writ petition, and pass

Counsel for the Petitioner:

1. SRINIVASA RAO NARRA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR IRRI AND CAD
3. 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.55,42,723/- payable to the petitioner in relation to the execution of work under 'O&M' Medikonduru (M), Phirangipuram (M), Yadlapadu (M), Guntur District, as illegal and arbitrary.

2. Heard Sri Narra Srinivas Rao, learned counsel for the petitioner, and Sri K.Sambasiva Rao, 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 technical sanction vide Nos.02/2021-2022, 03/2021-2022, 05/2021-2022, 04/2022-2023, 02/2022-2023, 03/2022-2023 and 17/2021-2022, dated 13.09.2021, 13.09.2021, 30.05.2022, 30.05.2022, 30.05.2022 and 13.09.2021 respectively, the petitioner has executed seven works as per the time stipulated in the agreements and the same was verified by the respective authorities. However, the amounts have not been paid so far. Learned counsel

for the petitioner undertakes to pay the deficit court fee within one week and file a memo to that effect.

4. Today, when the matter is taken up, the learned Assistant Government Pleader for Irrigation and Finance & Planning Department, for the respondents, submitted the written instructions, furnished by the Executive Engineer, NSJC o & M Division, Sattenapalli vide Lr.No.EE/NSJC O & M Div./SAP/Court Cases/453M dated 04.08.2026, wherein it is stated that the petitioner has executed seven works pursuant to the aforementioned technical sanctions and the net amount payable to the seven works is Rs.8,42,742/-, Rs./3,03,771/-, Rs.8,85,381/-, Rs.7,58,337/-Rs.8,72,562/-, Rs.7,88,247/- and Rs.6,53,028/, respectively.

5. Learned counsel for the petitioners endorses the amounts payable to the petitioner as mentioned in the written instructions.

6. Thus, as seen from the instructions of the Executive Engineer, NSJC o & M Division, Sattenapalli, there is no dispute regarding the execution of works and the petitioner's entitlement to the aforementioned amounts. Since the amounts 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

¹ 2025 SCC online SC 1400

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, NSJC o & M Division, Sattenapalli the Writ Petition is disposed of, directing the respondents to release amounts of Rs.8,42,742/-, Rs./3,03,771/-, Rs.8,85,381/-, Rs.7,58,337/-Rs.8,72,562/-, Rs.7,88,247/- and Rs.6,53,028/, respectively, payable to the petitioner regarding execution of seven works in pursuance of the aforementioned technical sanctions, subject to deductions, if any, within four (04) months from the 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: 29.07.2026
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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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Date: 05.08.2026
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