



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3327]
(Special Original Jurisdiction)**

FRIDAY, THE 24th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 10454/2026

Between:

1. G AMARANATH NAIDU, S/O. G PARASURAMA NAIDU, AGED ABOUT 55 YEARS, D NO. 3-7/A, THELLAGUNDLAPALLI, THAVANAMPALLI MANDAL, PANTRANNPALLE POST, MANGASAMUDRAM RURAL, CHITTOOR DISTRICT - 517004
...PETITIONER

A N D

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF PANCHAYAT RAJ AND RURAL DEPARTMENT (R.D-II), SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.
3. THE COMMISSIONER OF PANCHAYAT RAJ AND RURAL DEVELOPMENT, D. NO. 12-47, PVS ICON, PATHURU CROSS ROAD, TADEPALLI, GUNTUR DISTRICT, A.P.
4. THE DISTRICT COLLECTOR, CHITTOOR, CHITTOOR DISTRICT.
5. THE EXECUTIVE ENGINEER, PRI DIVISION, CHITTOOR.
6. THE DEPUTY EXECUTIVE ENGINEER, PRI, PUTHALAPATU, CHITTOOR DISTRICT.
7. THE ASSISTANT EXECUTIVE ENGINEER, MP, THAVANAMPALLI, CHITTOOR DISTRICT.

...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 inaction on the part of the respondents herein not releasing the total bills amount worth of Rs.24,76,083/- (Rupees Twenty four Lakhs

seventy six thousand and eighty three only) with interest @ 12 percent p.a., under grant of MGNREGS and Collector funds, to the petitioner till today after completion of execution of Construction of CC Roads Various places in Tellgundlapalle Village of Thavanampalle (M) Chittoor District, and causing heavy loss with Interest even though the work was completed within time as illegal arbitrary and violative of Article 14, 16 and 21 of the Constitution of India and consequentially direct the Respondents to release and pay the total bills amount of Rs.24,76,083/- (Rupees Twenty four Lakhs seventy six thousand and eighty three only) with Interest under grant of MGNREGS and Collector funds forthwith to the petitioner and pass

IA NO: 1 OF 2026

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 and pay the total bills amount worth of Rs.24,76,083/- (Rupees Twenty four Lakhs seventy six thousand and eighty three only) with Interest under grant of MGNREGS & Collector funds forthwith to the petitioner, pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1. SRINIVASA RAO NARRA

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. GP FOR REVENUE
3. GP FOR FINANCE PLANNING

The Court made the following:

ORDER

Heard learned counsel for the Writ Petitioner, learned Assistant Government Pleader for the Panchayat Raj and Rural Development, representing respondent Nos.1, 3, 5 to 7, learned Assistant Government Pleader for the Finance, representing respondent No.2, and the learned Assistant Government Pleader for the Revenue, representing respondent No.4.

2. This Writ Petition is filed seeking the following relief:

“....to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the inaction on the part of the respondents herein in releasing the total bills amount worth of Rs.24,76,083/- with interest @ 12% per annum under grant of MGNREGS & Collector Funds to the petitioner till today after completion of execution of construction of CC Roads various place in Tellagundlapalle Village of Thavanampalle (M), Chittoor District, and causing heavy loss with interest even though the work was completed within time, as illegal and arbitrary, and consequently, direct the respondents to release and pay the total bills amount of Rs.24,76,083/- with interest under grant of MGNREGS and Collector Funds forthwith to the petitioner and pass such other order or orders ...”

3. The Writ Petitioner claims to be a Civil Contractor. The Panchayat Raj Department allotted the work of providing BT to the road from Tellagundlapalle to Nallisettipalle road – reach Tellagundlapalle, Puthalapattu Sub-Division, Thavanampalle (M), Chittoor District, worth of Rs.24,76,083/- to the Writ Petitioner under

the grant of Mahatma Gandhi National Rural Employment Guarantee Scheme and Collector Funds. The Writ Petitioner executed the said work in the year 2018-2019 and completed the same within the prescribed time. The respondent authorities inspected the work and recorded the measurements in M-Book and kept pending the bill amount and did not release the same till date.

(b) It is the grievance of the Writ Petitioner that though he executed the entire work within time, the respondent authorities kept pending the amount of Rs.24,76,083/-. Even the Writ Petitioner approached the respondent authorities on multiple occasions, requesting for payment of aforesaid pending bill amount, they are not doing so. According to Writ Petitioner, having executed the work satisfactorily, within the prescribed time, non-payment of the bill amount was arbitrary and unjustified. It was further contended that the delay in payment is causing severe financial hardship, necessitating the filing of the present Writ Petition seeking appropriate directions for release of the outstanding amount.

4. Today when the matter is taken up for hearing, learned Assistant Government Pleader for the Panchayat Raj and Rural Development Department, representing respondent Nos.1, 3, 5 to 7, on written instructions received from the Executive Engineer, PRI

Division, Chittoor-5th respondent, submits that the Writ Petitioner executed the work. He further submits that the total value of the work done by the Writ Petitioner was Rs.24,76,083/-, out of which, statutory deductions such as QC Recovery, Withheld amount aggregating to Rs.70,946/-, an amount of Rs.23,05,137/- is payable to the Writ Petitioner. He further submits that on 01.02.2020, an amount of Rs.15,89,255/- was paid to the Writ Petitioner and balance amount of Rs.8,15,882/- is payable to the Writ Petitioner, and the same has to be paid under the MGNREGS grant. Therefore, he seeks time to process the release the balance bill amount. The written instructions are placed on record.

5. The issue raised in the present Writ Petition is squarely covered by the Order of this Court in **Rayapureddy Srinivasa Rao and others v. Government of Andhra Pradesh, rep. by its Principal Secretary to Government and others and others¹** and batch in which the Writ Petitions are allowed with the following directions:

(i) The Memo No.1263069/RD.II/A1/2020, dated 05.11.2020 and the Memo No.1388361/RD.II/A1/2020, dated 12.05.2021 issued by the Respondent NO.1 are set aside to the extent of deduction of 21.02% for DCC works and 6.333% for MCC works while making payment to the petitioner.

¹ 2021 SCC Online AP 3084.

(ii) The respondents are directed to clear the bills submitted by the petitioner and to release payment forthwith, in case no payment is made till date.

(iii) In case, any part payment is made as on date, the remaining amount shall be paid to the petitioner forthwith.

(iv) The respondents shall pay interest @ 12% per annum within a period of four (4) weeks from the date of receipt of a copy of this order.

(v) The interest shall be compound from the date of expiry of one month from the date of submission of the bill by the petitioner to till the date of final payment.

6. Against the above said order, several Writ Appeals are filed and in one of the Writ Appeals (*i.e.*) Writ Appeal No.724 of 2021, a Division Bench of this Court has passed an *interim* Order, dated 18.11.2021 as extracted hereunder:

“The direction of the learned Single Judge regarding payment of interest to the respondent No.1 as also setting aside the provision in Memo No.1263069/RD.II/A1/2020, dated 05.11.2020 and the Memo No.138861/RD.II/A1/2020, dated 12.05.2021 relating to deduction of 21.02% for DCC works and 6.333% for MCC works, while making payment, shall remained stayed.

On a query of the Court, learned Advocate General submitted that the direction of the learned Single Judge as far as payment of the principal amount of the bills raised by the original writ petitioner, in terms of the order of the Division Bench in **Krishna District Grama Panchayathi Sarpanchla**

Sangam (supra), shall be made within four weeks, if already not done.

The matter be listed for hearing in due course.

It is clarified that the appellants shall comply with the rest of the directions issued by the learned Single Judge in the judgment under appeal.”

7. Subsequently, a Division Bench of this Court headed by the Hon’ble the Chief Justice while hearing the Writ Appeal Nos.740 and 741 of 2021, having considered the Order passed in Writ Appeal No.724 of 2021, passed the following Order:

“Considering the facts and circumstances of the case and having regard to the interim order passed by the Coordinate Bench, we direct that the said interim order shall apply for the present Writ Appeals also, however, with a condition that the appellants shall pay the principal amount of the bill raised by the original Writ Petitioners, within a period of four weeks, failing which the present interim order shall stand vacated without reference to the bench.”

8. The learned counsel for the Writ Petitioner requested the Court to clarify the applicability of the Memo No.1263069/RD.II/A1/2020, dated 05.11.2020 and the Memo No.138861/RD.II/A1/2020, dated 12.05.2021.

9. The learned Assistant Government Pleader for Panchayat Raj submitted that the said Memos are issued for the

works executed under 'Mahatma Gandhi National Rural Employment Guarantee Scheme'. Therefore, it is made clear that the Memo No.1263069/RD.II/A1/2020, dated 05.11.2020 and the Memo No.1388361/RD.II/A1/2020, dated 12.05.2021 are applicable to the works executed under 'Mahatma Gandhi National Rural Employment Guarantee Scheme' only.

10. A perusal of the written instructions goes to show that there is no dispute with regard to execution of works by the Writ Petitioner under the Mahatma Gandhi National Rural Employment Guarantee Scheme and Collector Funds, and also the Writ Petitioner's entitlement to balance amount of Rs.8,15,882/-. Therefore, since the amount payable to the Writ Petitioner, is admitted and undisputed, the Writ Petition is maintainable. In **M/s. Utkal Highways Engineers and Contractors v. Chief General Manager & Ors.**², it was held as under: (Paragraph No.8)

“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

² 2025 SCC OnLine SC 1400.

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.”

11. Having regard to the facts and circumstances of the case coupled with the submission made by the learned Assistant Government Pleader for the Panchayat Raj and Rural Development, the respondent authorities are directed to pay the balance amount/ admitted amount of Rs.8,15,882/- (Rupees Eight Lakhs Fifteen Thousand Eight Hundred and Eighty Two only) to the Writ Petitioner within a period of Eight (8) weeks from the date of receipt of a copy of this order.

12. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs of the Writ Petition.

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

24th July, 2026.

DNB

Whether the Order is:

Speaking	✓	Reasoned	
Reportable		Non-reportable	✓