



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

[3331]

MONDAY, THE 3rd DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 10109/2026

Between:

1. HANUMAN SRI RAJARAJESWARI CONSTRUCTIONS, (FIRM NO187 OF 2012) REP. BY ITS MANAGING PARTNER, PARUCHURI SATYANARAYANA VARA PRASAD, S/O RAGHAVAIAH, AGED 57 YEARS, OCC CONTRACTOR, OFFICE ADDRESS AT BHYRI VILLAGE, SRIKAKULAM RURAL MANDAL, SRIKAKULAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, WATER RESOURCES (IRRIGATION) DEPARTMENT, AP SECRETARIAT, BUILDING NO.4, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT - 522237.

2. THE COMMISSIONER, COMMAND AREA DEVELOPMENT AUTHORITY, WATER RESOURCES DEPARTMENT, FLOOR, VYSYA BHAVAN, NAMBOORI GOPALARAO STREET, HANUMANPETA, VIJAYAWADA, NTR DISTRICT - 520003.

3. THE SUPERINTENDING ENGINEER, IRRIGATION CIRCLE, NEAR BAGGU SAROJINI HOSPITAL, SRIKAKULAM TOWN, SRIKAKULAM DISTRICT-532001.

4. THE EXECUTIVE ENGINEER, WATER RESOURCES DEPARTMENT, IRRIGATION DIVISION, NEAR BAGGU SAROJINI HOSPITAL, SRIKAKULAM TOWN, SRIKAKULAM DISTRICT-532001.

5. THE DEPUTY EXECUTIVE ENGINEER, WATER RESOURCES DEPARTMENT, IRRIGATION SUB-DIVISION, NEAR BAPUJI

KALAMANDIR, SRIKAKULAM TOWN, SRIKAKULAM DISTRICT - 532001.

6.THE ASSISTANT EXECUTIVE ENGINEER, WATER RESOURCES DEPARTMENT, IRRIGATION SECTION NO.1, NEAR BAPUJI KALAMANDIR, SRIKAKULAM TOWN, SRIKAKULAM DISTRICT - 532001.

7.STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, AP SECRETARIAT, BUILDING NO.4, VELAGAPUDI AMARAVATI, GUNTUR DISTRICT - 522237.

...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 in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in not paying amounts of Rs. 12,12,488/- (Twelve Lakhs Twelve Thousand Four Hundred and Eighty Eight Rupees Only) to the petitioner for execution of works i.e., Operation and Maintenance (O and M) - Desilting to Branch Channels in WUA, Srikurmam Limits in Gara Mandal of Srikakulam District, as illegal, arbitrary and offends Articles 14 and 21 of Constitution of India and consequently direct the respondents to pay the amounts of action of the Respondents in not paying amounts of Rs. 12,12,488/- (Twelve Lakhs Twelve Thousand Four Hundred and Eighty Eight Rupees Only) to the petitioner for execution of said works forthwith 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 may be pleased to direct the respondents to pay the amounts of action of the Respondents in not paying amounts of Rs. 12,12,488/- (Twelve Lakhs Twelve Thousand Four Hundred and Eighty Eight Rupees Only) to the petitioner for execution of works i.e., for execution of works i.e., "Operation and Maintenance (O & M) - Desilting to Branch Channels in WUA, Srikurmam Limits in Gara Mandal of Srikakulam District" forthwith, pending disposal of the main writ petition and pass

Counsel for the Petitioner:

1. SRINIVAS AMBATI

Counsel for the Respondent(S):

1. GP FOR IRRI AND CAD

2. GP FOR FINANCE PLANNING

The Court made the following order:

Heard Sri Srinivas Ambati, learned counsel for the petitioner and Sri Sambasiva Rao, learned Assistant Government Pleader for Irrigation and Command Area Development & Finance and Planning for the respondents.

2. The above writ petition was filed to declare the action of the respondents in not paying an amount of Rs.12,12,488/- in relation to the work executed by the petitioner i.e., Operation and Maintenance (O&M) – Desilting to Branch Channels in WUA, Srikurmam Limits in Gara Mandal of Srikakulam District, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, Sri Sambasiva Rao, learned Assistant Government Pleader for Irrigation and Command Area Development, submitted the written instructions of the Executive Engineer, W.R. Department, Irrigation Division, Srikakulam – 4th respondent dated 03.08.2026.

4. As seen from the instructions, the total value of the work done by the petitioner in relation to the aforementioned work is Rs.13,13,821/-. After statutory deductions of Rs.1,01,333/-, the balance amount payable to the petitioner comes to Rs.12,12,488/-.

5. In reply, learned counsel for the petitioner, endorses that the balance amount payable to the petitioner is Rs.12,12,488/-.

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.12,12,488/- 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 & 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 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 submission of learned counsel on either side, the Writ Petition is disposed of directing the respondents to release the amount of Rs.12,12,488/- (Rupees Twelve Lakhs Twelve Thousand Four Hundred and Eighty Eight 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: 03.08.2026
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¹ 2025 SCC online SC 1400

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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