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APHC010189702026



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

[3327]

MONDAY, THE 6th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 10306/2026

Between:

1. PENUMATCHA SIVA KOTESWARA RAO, S/O NIREEKSHANA RAO, AGED ABOUT 54 YEARS, RESIDENT OF D.NO. 10-141, MAIN ROAD SOUTH VALLURU, THOTIA VALLURU MANDALAM, THOTLAVALLURU, KRISHNA DISTRICT-521163.

...PETITIONER

A N D

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS SECRETARY, PANCHAYAT RAJ DIVISION, NEW DELHI, 11TH FLOOR, JEEVAN PRAKASH BUILDING, 25 K.G MARG, NEW DELHI, 110001.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY PANCHAYAT RAJ DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT, 522237.
3. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT, 522237.
4. THE CHIEF ENGINEER, PANCHAYAT RAJ DEPARTMENT VIJAYAWADA NTR DISTRICT, 520002.
5. THE EXECUTIVE ENGINEER, PANCHAYAT RAJ DEPARTMENT VIJAYAWADA NTR DISTRICT, 520002.
6. THE ASSISTANT ENGINEER, MANDAL PRAJA PARISHAD, PANCHAYAT RAJ DEPARTMENT, VIJAYAWADA NTR DISTRICT 520002.
7. THE THOTLAVALLURU GRAM PANCHAYATH, REP BY IT PANCHAYAT SECRETARY, THOTLAVALLURU, KRISHNA DISTRICT 521163.

...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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in releasing the net amounts of Rs.12,58,151/- (Rupees Twelve Lakhs Fifty Eight Thousand One Hundred and Fifty One Only) towards the work duly executed by me as arbitrary, illegal and well established legal principles apart from being violative of the fundamental and Constitutional rights guaranteed to me under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently direct the respondents pay the amount of Rs. 12,58,151/- (Rupees Twelve Lakhs Fifty Eight Thousand One Hundred and Fifty One Only) 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 not to utilise the 15th finance commission amount out of which these works were executed by me, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. PAPUDIPPU SASHIDAR REDDY

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. Yarraguntla.Koteswara Rao, Standing Counsel For Zilla Praja Parishads, Mandal Praja Parishads and Gra
3. GP FOR FINANCE PLANNING

The Court made the following:

ORDER

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 of respondents in releasing the net amount of Rs.12,58,151/- (Rupees Twelve Lakhs Fifty Eight Thousand One Hundred and Fifty One only) towards the work duly executed by the Writ Petitioner, as arbitrary, illegal and well-established legal principles apart from being violative of the Fundamental and Constitutional Rights guaranteed to the Writ Petitioner under Articles 14, 19, 21 and 300-A of the Constitution of India, and consequently direct the respondents to pay the amount of Rs.12,58,151/- (Rupees Twelve Lakhs Fifty Eight Thousand One Hundred and Fifty One only) and pass such other order or orders ...”

2. Heard learned counsel for the Writ Petitioner, learned Standing Counsel for Central Government, representing respondent No.1, learned Assistant Government Pleader for Panchayat Raj and Rural Development representing respondent Nos.2 and 4 to 6, learned Assistant Government Pleader for Finance, representing respondent No.3 and the learned Standing Counsel for Gram Panchayat, representing respondent No.7.

3. The Writ Petitioner claims to be a Civil Contractor, used to execute the contract works entrusted by the Government. The respondent No.6 called for execution of the works of, (a) construction of RCC Slab Culvert at Cinema Hall Bazar V.Chinna Subbarao house at Thotlavalluru, with an estimated cost of Rs.2,80,000/-; (b) Desilting of Old

Drains North Valluru and South Valluru various places of Thotlavalluru, with an estimated cost of Rs.4,90,000/-; (c) Desilting of Old Draings from High School to Sub-Station and Gandhi Statue to Petrol Station, Kanakadurgapuram Colony, various places at Thotlavaluru, with an estimated cost of Rs.4,80,000/-; (d) Construction of Compound Wall OHSR Tank in South Valluru, with an estimated cost of Rs.5,00,000/-; (e) Construction of Toilet at Anganwadi Centre Building (Gurram Jashuva) in Thotlavalluru (V) at Thotlavalluru (M), with an estimated cost of Rs.1,30,000/-;

(b) The Writ Petitioner completed the subject work to the satisfaction of respondent Nos.6 and 7, and they conducted Quality Control Test on the work executed by the Writ Petitioner, recorded the measurements viz. (a) M-Book 178/A/GP2021-22 in favour of Writ Petitioner for a gross amount of Rs.2,24,761/- and net amount of Rs.2,07,957/- for construction of RCC Slab Culvert at Cinema Hall Bazar V.Chinna Subbarao house at Thotlavalluru; (b) M-Book 311A/2018-19 in favour of Writ Petitioner for a gross amount of Rs.3,58,068/- and net amount of Rs.3,38,553/- for desilting of Old Drains North Valluru and South Valluru various places of Thotlavalluru; (c) M-Book 71A/2017-18 in favour of Writ Petitioner for a gross amount of Rs.4,75,741/- and net amount of Rs.4,53,279/- for desilting of Old Drains from High School to Sub Station and Gandhi Statue to Petrol Station, Kanakadurgapuram Colony, various places at Thotlavalluru; (d) M-Book 73A/2017-18 in favour of Writ Petitioner for a gross amount of Rs.4,57,324/- and net amount of Rs.1,60,037/- for

construction of Compound Wall OHSR Tank in South Valluru; (e) M-Book 179A/2021-22 in favour of Writ Petitioner for a gross amount of Rs.1,00,852/-, net amount of Rs.98,325/- for construction of Toilet at Anganwadi Centre Building (Gurram Jashuva) in Thotlavalluru (V) of Thotlavalluru (M), in the M-Book.

(c) The respondent No.6 issued Quality Control Certificate (WCO) certifying the completion of subject work and endorsed the net amount to a tune of Rs.12,58,151/- for the five works executed by the Writ Petitioner. Though repeated requests have been made by the Writ Petitioner, the respondents did not turn up to pay the pending bills to the Writ Petitioner. 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. Learned Standing Counsel for Gram Panchayat, on written instructions received from 7th respondent, submits that an amount of Rs.2,08,259/-, Rs.3,41,199/-, Rs.4,53,260/-, Rs.2,73,158, and Rs.1,60,037/- for construction works recorded in M-Book Nos.178A/2021-22, 311A/2018-19, 71A/2017-18, and 73A/2017-18, have already been paid to the Writ Petitioner, after statutory

deductions, on 04.06.2026, 31.01.2025. Learned Standing Counsel further submits that only the amount for a sum of Rs.98,325/- in respect of the construction work recorded in M-Book No.179A/2021-22 *i.e.* Construction of Toilet at Anganwadi Centre Building (Gurram Jashuva) in Thotlavalluru (V) of Thotlavalluru (M) is pending for payment to the Writ Petitioner and hence, he seeks time. The written instructions are placed on record.

5. Learned Assistant Government Pleader for Panchayat Raj and Rural Development representing respondent Nos.2, 4 to 6 concedes with the submission made by the learned Standing Counsel for Gram Panchayat.

6. Having regard to the fact that, there is no dispute with regard to the works executed by the Writ Petitioner and the balance amount payable to him, and in view of the submissions of the learned Standing Counsel for Gram Panchayat and the learned Assistant Government Pleader for Panchayat Raj and Rural Development, the respondent authorities are directed to pay a sum of Rs.98,325/- (Rupees Ninety Eight Thousand Three Hundred and Twenty Five only) to the Writ Petitioner within a period of Six (6) weeks from the date of receipt of a copy of this order.

7. 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

6th July, 2026.

DNB

Whether the Order is:

Speaking	✓	Reasoned	
Reportable		Non-reportable	✓