



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

[3327]

WEDNESDAY, THE 15th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 13150/2026

Between:

1.CH.SIVA PRASAD NAIDU AND CO, REP.BY.MANAGING PARTNER
,CH.SIVA PRASAD NAIDU S/O.CH.JENKATA KRISHNAMA NAIDU
,AGE 57 YEARS, R/O.104, GEM ASCENTIAA,SHILPA HILLS HITEX
,HITECH CITY, KOTHAGUDA,KLV.RANGAREDDY DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF PANCHAYAT RAJ, SECRETARIAT
BUILDING, VELAGAPUDI, AMARAVATHI, GUNTUR.522238

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY DEPARTMENT OF AGRICULTURE MARKETING
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT.522238

3.THE INSTITUTIONAL OF AGRICULTURE MARKETING
DEPARTMENT, REP,.BY. COMMISSIONER ,GUNTUR,GUNTUR
DISTRICT. 522003

4.THE EXECUTIVE ENGINEER, PIU DIVISION,NELLORE, SPQR
NELLORE DISTRICT.524001

5.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY DEPARTMENT OF FINANCE AND PLANNING,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT. 522238

...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 may be pleased to issue an appropriate Writ Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in withholding the payments of pending amounts of Rs. 26,74,370/- Rupees Twenty Six Lakhs, Seventy Four thousand, Three Hundred and Seventy Rupees only , even after finalizing the bills payable to the petitioner in relation to the works i.e. 1,Package no.APAM/NLR/Surveypalli/16 consisting of 11 works in Surveypalli constituency Urgent repairs to the road from Subbareddipa/em to pothunaidudibba (via) narikella palli in muthukur mandal of SPSR Nellore District, Estimate cost.73.00 lakhs, 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 may be pleased to direct the respondents to forthwith consider releasing the amounts Rs.26,74,370/- (Rupees Twenty Six Lakhs, Seventy Four thousand, Three Hundred and Seventy Rupees only) payable to the petitioner herein, pending disposal of the writ petition and pass such

Counsel for the Petitioner:

1.DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR AGRICULTURE

3.GP FOR FINANCE PLANNING

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

Writ Petition No:13150 of 2026

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 action of the Respondents in withholding the payments of pending amounts of Rs.26,74,370/- Rupees Twenty Six Lakhs, Seventy Four thousand, Three Hundred and Seventy Rupees only), even after finalizing the bills payable to the petitioner in relation to the works i.e. “1.Package no.APAM/NLR/Surveyepalli/16 consisting of 11 works in Surveyepalli constituency; Urgent repairs to the road from Subbareddipalem to pothunaidudibba (via) narikella palli in muthukur mandal of SPSR Nellore District, Estimate cost.73.00 lakhs, and pass such other order or orders...”

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Panchayat Raj and Rural Development.

3. The petitioner, who is a civil contractor, was awarded a work relating to urgent repairs to a road from Subbareddypalem to Pothunaidudibba (via) Narikella palli in Muthukur Mandal of SPSR Nellore District under the Agricultural Marketing and Co-operation Department. An agreement was entered into, on 02.12.2023, and the petitioner completed the work within the stipulated period, i.e., by 01.09.2024, to the satisfaction of the respondents. The bills were prepared and forwarded for payment, but an amount of Rs.26,74,370/- remains unpaid despite completion of the work and repeated requests by the petitioner. It is the case of the petitioner that he borrowed money on interest to execute the work and is suffering serious financial hardship due to non-payment of admitted bill amount.

4. It is the grievance of the petitioner that notwithstanding the completion of the work and its measurement by the competent authorities, the amount due towards the executed work has not been paid till date. According to the petitioner, although the work was completed more than two years ago, the respondent authorities have not released the admitted amount payable to him. Aggrieved by the non-payment of the said amount, the petitioner filed the present Writ Petition.

5. Learned Assistant Government Pleader, on written instructions dated 17.06.2026, from the Executive Engineer, PR PIU Division, Nellore - 4th respondent, submits that there is no dispute with regard to the execution of the work. According to him, the petitioner is entitled to an amount of Rs.21,83,994/- after statutory recovery amount of Rs.4,90,376/-, and that the said bill was received by the office of 4th Respondent on 24.10.2024. However, there was no specific Head of Account allocated for the said grant, and therefore, the bill could not be processed and uploaded in the eNIDHI portal and six months' time is sought for payment of the said amount. The written instructions are placed on record.

6. 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 of

¹ 2025 SCC online SC 1400

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

7. Having regard to the fact that there is no dispute with regard to the work executed by the petitioner and the amount payable to him, and in view of the submissions of the learned Assistant Government Pleader, the respondent authorities are directed to pay a sum of Rs.21,83,994/- (Rupees twenty one lakhs eighty three thousand, nine hundred and ninety four only) to the petitioner within a period of three (03) months from the date of receipt of a copy of this order.

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

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

JUSTICE K. SREENIVASA REDDY

Date:15.07.2026.
Ksj