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APHC010235702026



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

[3457]

TUESDAY, THE 30th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 12964/2026

Between:

1.ADAPA CONSTRUCTIONS PRIVATE LTD.,, REP.BY ITS MANAGING DIRECTOR, ADAPA VIJAYA KUMAR, S/O LATE RAMACHANDRA RAO, AGED ABOUT 38 YEARS, R/O D.NO. 25-2-46/A, ADAPA BAZAAR, R. AGRAHARAM, GUNTUR.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION DEPARTMENT, A.P SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT - 522237.

2.THE GUNTUR MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, CORPORATION OFFICE, GUNTUR - 522003

...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 topleased to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the petitioner's Earnest Money Deposit (EMD) Balance Earnest Money Deposit Bal EMD Additional Security Deposit ASD of 21 works total Rs.2,07,996 /- (Rupees Two Lakhs Seven Thousand Nine Hundred and Ninety Six only) which were to be refunded after the defects observation

period of 24 months that was expired by the year 2022 and 2024 respectively as illegal arbitrary and consequentially direct the 2nd respondent to pay the said amount of Rs.2,07,996 /- (Rupees Two Lakhs Seven Thousand Nine Hundred and Ninety Six only) with interest

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 2nd Respondent herein to consider the representations of the petitioners made on 27.01.2026, 11.02.2026, 28.02.2026 and 03.03.2026 and release all the deposits and claimed interest, pending disposal of the main Writ Petition

Counsel for the Petitioner:

1.VENKATA DURGA RAO ANANTHA

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

THE HONOURABLE SRI JUSTICE HARINATH.N**WRIT PETITION NO: 12964 of 2026****ORDER:**

The learned counsel for the petitioner submits that the petitioner is aggrieved by the inaction of the respondents in not releasing the petitioner's Earnest Money Deposit (EMD), Balance Earnest Money Deposit (Bal. EMD), and Additional Security Deposit (ASD) pertaining to 21 works, aggregating to a total sum of Rs.2,07,996/- (Rupees Two Lakhs Seven Thousand Nine Hundred and Ninety Six only), which were liable to be refunded upon completion of the defect liability period of 24 months. It is submitted that the said defect liability periods expired during the years 2022 and 2024 respectively, yet the amounts have not been refunded. Such inaction on the part of the respondents is stated to be illegal, arbitrary and unjust. Consequently, the petitioner seeks a direction to the 2nd respondent to release and pay the aforesaid amount of Rs.2,07,996/- (Rupees Two Lakhs Seven Thousand Nine Hundred and Ninety Six only) to the petitioner.

2. It is submitted that the petitioner had completed the works entrusted to him and that the competent authority of the respondents had also approved the payments due and payable to the petitioner. The respondents have also recorded the progress of the works and the amounts due and payable to the petitioner in the M-Book.

3. Heard the submissions of the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development Department, Sri M. Krishna Rao, learned Standing Counsel for

the respondent Corporation, and the learned Assistant Government Pleader for Finance and Planning.

4. During the course of hearing, the learned Standing Counsel appearing for the respondent Corporation submits that the works have been completed and that the petitioner has also submitted the final bills and the amounts due and payable to the petitioner have been duly admitted. It is submitted that further funds are awaited and that, soon after the release of the funds, the bills due and payable to the petitioner shall be cleared.

5. Recording the submissions, this writ petition is disposed of at the admission stage, directing the respondents to verify and release the (EMD) payments due and payable to the petitioner as expeditiously as possible, preferably within a period of six (06) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

6. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:30.06.2026

RSD

Whether the order is:

Speaking		Reasoned	☒
Reportable		Non-reportable	☒

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THE HONOURABLE SRI JUSTICE HARINATH.N

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RSD