



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

[3331]

WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 13614/2025

Between:

1.J V NARAYANA REDDY, S/O. GOVINDA REDDY, AGE 65 YEARS,
R/O. H.NO. 28/772 AYYAPPA RESIDENCY, NANDYALNANDYAL
DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHAYATH RAJ RURAL DEVELOPMENT
DEPARTMENT, A.P. SECRETARIAT BUILDING, VELAGAPUDI,
AMARAVATHI.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY FINANCE DEPARTMENT, A.P. SECRETARIAT
BUILDING, VELAGAPUDI, AMARAVATHI.

3.THE DISTRICT COLLECTOR, NANDYAL DISTRICT AT NANDYAL

4.THE CHIEF ENGINEER, PANCHAYATH RAJ DEPARTMENT,
VIJAYAWADA, KRISHNA DISTRICT.

5.THE SUPERINTENDING ENGINEER, PANCHAYATH RAJ CIRCLE
NANDYAL, NANDYAL DISTRICT.

6.THE EXECUTIVE ENGINEER, PANCHAYATH RAJ (PIU) DIVISION
NANDYAL, NANDYAL 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 For the reasons stated above it is prayed that this Honble Court 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 not releasing the payments for the work executed by the petitioner providing the CC road cum drain from Bala Maddeley house to Katari Madhu house and from Alladi Divakar house to S.Mali Basha house and CC road from Syamala Bala Nagi Reddy house to Konadapalli Nagi Reddy house and other streets in Ayyalur-II Village of Nandyal Mandal through the Agreement. No. 276/20203 dated 28.10.2023 an amount of Rs. 18,17,348/- as illegal, arbitrary and contrary to law and un constitution and violation of Article 14 of Constitution of India and consequently direct the respondents to release an amount of Rs.18,17,348/- with 18percent per annum to the petitioner in respect of the execution of aforementioned works forthwith and to pass

IA NO: 1 OF 2025

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 an amount of Rs. 18,17,348/- with interest at 18% for the work executed by the petitioner providing CC road cum drain from Bala Maddeley house to Katari Madhu house and from Alladi Divakar house to S.Mali Basha house and CC road from Syamala Bala Nagi Reddy house to Konadapalli Nagi Reddy house and other streets in Ayyalur-II Village of Nandyal Mandal through the Agreement No. 276/20203 dated 28.10.2023 for an amount of Rs.18,17,348/-and to pass

Counsel for the Petitioner:

- 1.MARELLA RADHA

Counsel for the Respondent(S):

- 1.GP FOR PANCHAYAT RAJ RURAL DEV
- 2.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER ::

Heard Smt. Marella Radha, learned counsel for the petitioner, Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development, Finance and Planning for the respondents.

2. The above writ petition was filed to declare the action of the respondents in not releasing an amount of Rs.18,17,348/-, payable to the petitioner in relation to the works i.e., Providing the CC Road cum Drain from Bala Maddeley house to Katari Madhu house and CC Road from Syamala Bala Nagi Reddy house to Kondapalli Nagi Reddy house and other streets in Ayyalur-II Village of Nandyal Mandal *vide* Agreement No.276/2023 dated 28.10.2023, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, learned Assistant Government Pleader for Panchayat Raj, submitted the written instructions of the Executive Engineer, PRI Division, Nandyal - 6th respondent.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned works and the net amount payable to the petitioner is Rs.18,17,348/-. The written instructions are made as part of the record.

5. Thus, as seen from the instructions there is no dispute regarding the execution of works and the petitioner's entitlement for Rs.18,17,348/-. 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 fact which by their very nature cannot be adjudicated upon without recording formal evidence”.

6. Given the instructions furnished by the Executive Engineer, PRI Division, Nandyal - 6th respondent, the Writ Petition is disposed of directing the respondents to release an amount of Rs.18,17,348/- (Rupees Eighteen Lakhs Seventeen Thousand Three Hundred and Forty Eight only) payable to the petitioner regarding execution of the aforementioned work, within three (03) 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: 18.02.2026
SNI

¹ 2025 SCC online SC 1400

117

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 13614 OF 2025

Date: 18.02.2026
SNI