



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

MONDAY, THE 3rd DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 13773 OF 2026

Between:

1. SYED KALESHA, S/o. Syed Masthan Saheb Aged 53 years, R/o. H. No. 1/40, Kanuparthipadu Village Nellore Rural Mandal, SPSR Nellore District-524004.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, rep. by its Principal Secretary to Government, Panchayat Raj and Rural Development Department, Secretariat Velagapudi, Amaravati, Guntur District.-522238

2. The State of Andhra Pradesh, , Rep. by its Principal Secretary, Finance and Planning Department Secretariat, Velagapudi, Amaravati, Guntur District-522238

3. The Engineer inChief, Rural Water Supply and Sanitation Department 5th Floor, Vasudha Shelters, C Block, Sai Puram Colony Gollapudi, Vijayawada, Andhra Pradesh, 521225

4. The Superintending Engineer, RWS and S Circle, Nellore, SPSR Nellore District -524002

5. The Executive Engineer, RWS and S, Division, Nellore SPSR Nellore District-524002

...Respondents

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, Order or Direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents in not releasing payment for the bill to the petitioner for the work executed by him namely Providing DWF through 100 percent FHTC s to Muthukur habitation of Muthukur GP in Muthukur Mandal of SPSR Nellore District under agreement dated 15.12.2023 for the amounts of Rs. 37,72,434/- and Rs. 26,36,954 /- (Total amount of Rs. 64,09,388/-) as illegal, arbitrary, malafidy, high handed, and contrary to the procedure established by law apart from being violative of Articles 14 and 19 (1) (g) of the Constitution of India and consequentially direct the respondents to release the payment of above bill along with interest forthwith in the interest of justice 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 to direct the respondents to pay the bill of the petitioner for the work executed by him i.e. Providing DWF through 100percent FHTCs to Muthukur habitation of Muthukur GP in Muthukur Mandal of SPSR Nellore District under agreement dated 15.12.2023 for the amounts of Rs. 37,72,434/- and Rs. 26,36,954 /- (Total amount of Rs. 64,09,388/) pending disposal of the Writ Petition and to pass

Counsel for the Petitioner: KAMBHAMPATI RAMESH BABU

Counsel for the Respondents: GP FOR PANCHAYAT RAJ RURAL DEV

Counsel for the Respondents:GP FOR FINANCE PLANNING

The Court made the following order:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO.13773 OF 2026

ORDER

This Writ Petition is filed seeking the following relief:

" ... to issue a Writ, Order or Direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents in not releasing payment for the bill to the petitioner for the work executed by him namely Providing DWF through 100 percent FHTC s to Muthukur habitation of Muthukur GP in Muthukur Mandal of SPSR Nellore District under agreement dated 15.12.2023 for the amounts of Rs. 37,72,434/- and Rs. 26,36,954/- (Total amount of Rs. 64,09,388/-) as illegal, arbitrary, malafidy, high handed, and contrary to the procedure established by law apart from being violative of Articles 14 and 19 (1) (g) of the Constitution of India and consequentially direct the respondents to release the payment of above bill along with interest forthwith in the interest of justice and pass....."

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

3. Case of the petitioner is that 4th respondent, in respect of works in SPSR Nellore District, entrusted the petitioner with the aforesaid work pursuant to an agreement dated 15.12.2023, after following the tender process. The petitioner submits that he executed the said works by

investing substantial amounts, strictly in accordance with the terms and conditions of the agreements. The concerned authorities and their subordinate staff inspected the works, recorded the measurements in the relevant Measurement Books and quantified the amounts payable. After completion of the works, quality checks and compliance with the requisite statutory requirements, bills for a total amount of Rs.64,09,388/- were approved on 29.01.2026.

4. It is submitted that, despite completion of the works, recording of measurements and approval of the bills, the respondents have failed to release the admitted bill amount to the petitioner, notwithstanding his repeated requests.

5. The petitioner contends that the works were executed within the stipulated time and to the satisfaction of the concerned authorities and, therefore, the respondents are under an obligation to release the amounts payable for the work executed under the agreements. The continued withholding of the admitted amounts has caused financial hardship to the petitioner, particularly as the interest on the amounts borrowed for execution of the works is accumulating day by day. The petitioner therefore contends that the action of the respondents in withholding the amounts due and

payable to him, despite completion and approval of the works and bills, is illegal, arbitrary and unjustified, and seeks appropriate directions for release of the admitted bill amounts.

6. Learned Assistant Government Pleader for Panchayat Raj and Rural Development, on the basis of written instructions dated 01.08.2026 received from respondent No.5, namely, Executive Engineer, RWS&s Division, Nellore, submits that petitioner had executed the subject works and that the total gross amount of Rs.64,09,388/- (2 works) is payable to him. He further submits that the above bills are pertaining to JJM Grant. The Grant was released by Government for the above works. The bills were passed and uploaded in Nidhi Portal for payment. After releasing of funds by the Government the payment will be arranged to the petitioner. 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 Engineer and Contractors V. Chief General

Manager & Ors¹, it was held at paragraph 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. Having regard to the fact that there is no dispute with regard to the works executed by the petitioner and the amount payable to him, and in view of the aforesaid submissions, the respondent authorities are directed to pay a sum of Rs.64,09,388/- to the petitioner within a period of eight (8) weeks 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.

¹ 2025 SCC online SC 1400

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

JUSTICE K. SREENIVASA REDDY

Date: 03.08.2026

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HON'BLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO:13773 OF 2026

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