



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 12756 OF 2024

Between:

Larsen And Toubro Limited, Having registered office at L and T House,
Ballard Estate, Mumbai-400001.

And at:

Headquarters (Construction, Water and Effluent Treatment Business Unit)
5th Floor, C-Wing, TC-3, Tower-B, Mount Poonamallee Road,
Manapakkam, P.B. No. 979, Chennai -600089.

....Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Panchayat Raj and Rural Development Department and Rural Water Supply and Sanitation Department. Block- 5, A.P. Secretariat, Velagupudi, Guntur District - 522023, Andhra Pradesh.
2. Sri Satya Sai Water Supply Project Board, , Eluru, West Godavari District Represented by its Chairman (Collector and District Magistrate, West Godavari District).
3. The Collector and District Magistrate, , West Godavari District and Chairman, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
4. The Project Officer ITDA, K.R. Puram, West Godavari District and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.

5. The Chief Executive Officer, Zilla Parishad, West Godavari District and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
6. The District Panchayat Officer, West Godavari District and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
7. . The Superintending Engineer, AP TRANSCO and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
8. The Superintending Engineer, Irrigation Circle, Eluru and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
9. The Superintending Engineer, RWS, West Godavari District and Member Secretary, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
10. The Sarpanch, , Chagallu and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
11. .The Sarpanch, Kodigudem and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
12. The Sarpanch, Lakkavaram and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
13. .The Sarpanch, , Nuthiramavaripalem and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
14. .The Sarpanch, K. Jaganadhapuram and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
15. The Nominee of Sri Satya Sai Central Trust and Member, , Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
16. Mr. R. Kondala Rao, , Engineer -in-Chief, Panchayat Raj (Retd.) and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.

Respondent Nos. 2 to 16 having office at Office at:

Office of the Superintending Engineer Rural Water Supply and Sanitation Circle, Eluru, West Godavari - 534002 Andhra Pradesh
And at Ameena Peta, Eluru, West Godavari-534006 Andhra Pradesh.

Also at: Ashok Nagar Road, Ameena Peta, Eluru, West Godavari - 534002
Andhra Pradesh.

Respondent No. 16 residing at:

H. No. 182(8-1-601/1), Road No. 10, Banjara Hills, Hyderabad - 500034

... Respondents

WHEREAS the Petitioner above named through its Advocate SRI D S SIVADARSHAN presented this 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

I. Declaring the action of the Respondents, in not making payment of the unequivocally admitted outstanding amount of INR 12,25,67,130/- for the work executed/services rendered by the Petitioner as illegal, ultra vires the Constitution of India, unjust, arbitrary and contrary to settled principles of law and constitutional morality and

II. Consequentially, direct the Respondents to forthwith pay to the Petitioner the said unequivocally admitted outstanding amount of INR 12,25,67,130/- along with interest thereon at the rate of 18 percent per annum or at such rate as this Honble Court may deem fit and reasonable, from the date on which the amount fell due till date of payment.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri D S SIVADARSHAN Advocate for the Petitioner, GP FOR PANCHAYAT RAJ for respondent nos.1, 3, 6 and 9, GP FOR SOCIAL WELFARE DEPARTMENT for respondent no.4, Sri N.Srihari, Staniding Counsel for respondent no.5, Sri Anup Koushi Karavadi, Standing Counsel for respondent no.7, GP FOR IRRIGATION for Respondent No.8, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Panchayat Raj and Rural Development Department and Rural Water Supply and Sanitation Department, Block-5, State Of Andhra Pradesh, Secretariat, Velagupudi, Guntur District - 522023, Andhra Pradesh.
2. The Chairman (Collector and District Magistrate, Sri Satya Sai Water Supply Project Board, , Eluru, West Godavari District ,West Godavari District).
3. The Collector and District Magistrate, West Godavari District and Chairman, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
4. The Project Officer ITDA, K.R. Puram, West Godavari District and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
5. The Chief Executive Officer, Zilla Parishad, West Godavari District and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
6. The District Panchayat Officer, West Godavari District and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
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13. .The Sarpanch, , Nuthiramavaripalem and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
14. .The Sarpanch, K. Jaganadhapuram and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
15. The Nominee of Sri Satya Sai Central Trust and Member, , Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
16. Mr. R. Kondala Rao, , Engineer -in-Chief, Panchayat Raj (Retd.) and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.

are be and hereby directed to show cause either appearing in person or through an advocate on or before 08.07.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following: ORDER

“Notice before admission.

Learned Government Pleader for Panchayat Raj Department takes notice on behalf of respondent Nos.1, 3, 6 and 9.

Learned Government Pleader for Social Welfare Department takes notice on behalf of respondent No.4.

Sri N.Srihari, learned standing counsel for Zilla Parishad, takes notice on behalf of respondent No.5.

Sri Anup Koushik Karavadi, learned standing counsel for AP TRANSCO, takes notice on behalf of respondent No.7.

Learned Government Pleader for Irrigation Department takes notice on behalf of respondent No.8.

Learned counsel for the petitioners is permitted to take out personal notice on respondent Nos.2, 10 to 16 by registered post with acknowledgment due and file proof of service in the Registry.

For instructions, post on 08.07.2024 in the Motion List."

Sd/- U: SRI DEVI
ASSISTANT REGISTRAR
ASSI
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department and Rural Water Supply and Sanitation Department, Block-5, State Of Andhra Pradesh, Secretariat, Velagupudi, Guntur District - 522023, Andhra Pradesh.
2. The Chairman (Collector and District Magistrate, Sri Satya Sai Water Supply Project Board, , Eluru, West Godavari District ,West Godavari District).
3. The Collector and District Magistrate, West Godavari District and Chairman, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
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15. The Nominee of Sri Satya Sai Central Trust and Member, , Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District.
16. Mr. R. Kondala Rao, , Engineer -in-Chief, Panchayat Raj (Retd.) and Member, Sri Satya Sai Water Supply Project Board, Eluru, West Godavari District. (1 to 16 by RPAD- along with a copy of petition and memorandum of grounds)
17. One CC to SRI. D S SIVADARSHAN Advocate [OPUC]
18. One CC to Sri N. Srihari, Standing Counsel [OPUC]
19. One CC to Sri Anup Koushik Karavadi, Standing Counsel [OPUC]
20. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV , High Court Of Andhra Pradesh. [OUT]
21. Two CCs to GP FOR SOCIAL WELFARE DEPARTMENT, High Court of Andhra Pradesh. [OUT]
22. Two CCs to GP FOR IRRIGATION, High Court of Andhra Pradesh. [OUT]
23. One spare copy

HIGH COURT

RC, J

DATED:24/06/2024

post on 08.07.2024 in the Motion List.

NOTICE BEFORE ADMISSION

WP.No.12756 of 2024

