



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

[3331]

**TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15168/2025

Between:

1.M/S. KCR INFRASTRUCTURES,, MANAGING PARTNER, SRI. K.
VIJAYA BHASKAR REDDY, D.NO.10-21-2/16, NEAR UDA OFFICE,
CHENCHUPET, TENALI, GUNTUR DISTRICT

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHAYAT RAJ DEPARTMENT, A.P
SECRETARIAT, VELAGAPUDI, AMARAVATI.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, FINANCE AND PLANNING DEPARTMENT, A.P
SECRETARIAT, VELAGAPUDI, AMARAVATI.

3.THE DISTRICT COLLECTOR, GUNTUR, GUNTUR DISTRICT.

4.THE DEPUTY DIRECTOR OF MINES AND GEOLOGY, AND MEMBER
CONVENOR, DMFT, VIDYANAGAR, GUNTUR.

5.THE SUPERITENDING ENGINEER, P.R. CIRCLE, GUNTUR,
GUNTUR DISTRICT.

6.THE EXECUTIVE ENGINEER, P.R. DIVISION, TENALI

...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 issue any writ or order or direction more

particularly one in the nature of Writ of Mandamus declaring the action of the respondents in non payment of the bill amounts to a tune of Rs.70,73,944/- towards the 3 works i.e., 1) Laying of CC Road cum drain in Chinapalem (V) of Duggirala (M), 2) Improvements to the road from Guntur - Hanumanpalem R and B Road to Chakrayapalem - Davuluru R and B Road via Narayana cheruvu in kollipara Village and Mandal and 3) Laying of CC Road cum drain in Duggirala (V) of Duggirala (M) completed by me as illegal, arbitrary and consequently direct the respondents to pay the bill amounts to a tune of Rs.70,73,944/- without any further delay and to pass such

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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 direct the respondents to release amounts to a tune of Rs.70,73,944/- towards the 3 works i.e., 1) Laying of CC Road cum drain in Chinapalem (V) of Duggirala (M), 2) Improvements to the road from Guntur - Hanumanpalem R & B Road to Chakrayapalem - Davuluru R & B Road via Narayana cheruvu in kollipara Village & Mandal and 3) Laying of CC Road cum drain in Duggirala (V) of Duggirala (M), pending the Writ Petition in this Hon'ble Court pending disposal of the above writ petition and to pass such

Counsel for the Petitioner:

1.Nandipalle Venkatesh

Counsel for the Respondent(S):

- 1.GP FOR PANCHAYAT RAJ RURAL DEV
- 2.GP FOR MINES AND GEOLOGY
- 3.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER::

The above writ petition was filed to declare the action of the respondents in not releasing an amount of Rs.70,73,944/- relating to the works executed by the petitioner i.e. (1) Laying of CC road cum drain in Chinapalem (V) of Duggirala (M), (2) Improvements to the road from Guntur – Hanumanpalem R & B road to Chakrayapalem – Davuluru R & B road via

Narayana cheruvu in Kollipara Village & Mandal and (3) Laying of CC road cum drain in Duggirala (V) of Duggirala (M), as illegal and arbitrary.

2. Heard Sri N. Venkatesh, learned counsel for the petitioner; Sri P. Rajesh Kumar, the learned Assistant Government Pleader for the Panchayat Raj and Rural Development & Finance and Planning Department, appeared for the respondents 1 to 3, 5 & 6 and Ms. Anusha, learned Assistant Government Pleader for Mines & Geology, appeared for respondent No.4.

3. When the matter was listed on 11.02.2026, Ms. Anusha, learned Assistant Government Pleader for Mines and Geology, submitted that the bill for an amount of Rs.81,60,725/- was uploaded in the CFMS portal on 05.08.2025, inclusive of all statutory recoveries.

4. Today, when the matter is taken up for consideration, learned Assistant Government Pleader submitted the written instructions of respondent No.2 and would confirm that the bill for an amount of Rs.81,60,725/- was uploaded in CFMS portal vide token No.2025-1206802 and the same is awaiting for fund clearance.

5. Thus, as seen from the instructions, there is no dispute regarding the execution of work and the petitioner's entitlement for Rs.81,60,725/-. 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.”

¹ 2025 SCC online SC 1400

6. Given the instructions furnished by respondent No.2, the Writ Petition is disposed of, directing the respondents to release an amount of Rs.81,60,725/- payable to the petitioner regarding execution of the aforementioned works, within four (04) 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: 17.02.2026
TVN

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15168 of 2025

Date: 17.02.2026
TVN