



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

[3331]

FRIDAY, THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 16626/2024

Between:

1. KILLAMSETTI SRINIVASA RAO, S/O KAMESWARA RAO AGED ABOUT 55 YEARS, OCC BUSINESS R/O.D.NO.2-56 MAIN-ROAD CHAPARA VILLAGE, MELIAPUTTI MANDAL, SRIKAKULAM DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP, BY ITS PRINCIPAL SECRETARY FINANCE AND PLANNING DEPT, SECRETARIAT, VELAGAPUDI AMARAVATI GUNTUR DISTRICT.

2. THE COMMISSIONER, DISASTER MANAGEMENT AND EX-OFFICIO SECRETARY, GOVT OF AP, SECRETARIAT, VELAGAPUDI AMARAVATI GUNTUR DISTRICT

3. THE DISTRICT COLLECTOR, SRIKAKULAM, SRIKAKULAM DISTRICT

4. THE PROJECT DIRECTOR MGNREGS, DISTRICT WATER MANAGEMENT AGENCY, SRIKAKULAM DISTRICT

5. THE TAHSILDAR, MELIAPUTTI MANDAL, SRIKAKULAM DISTRICT

6. THE PROGRAMME OFFICER MGNREGS CUM MANDAL PARISHAD DEVELOPMENT OFFICER, MELIAPUTTI MANDAL, SRIKAKULAM 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 to issue an appropriate writ order or orders or direction more particularly one in the nature of Writ of Mandamus to declaring the inaction of the Respondents to pay the pending vehicle petrol bills of Rs 2,64,131/- for TITLI cyclone clearing works is highly illegal arbitrary violation of Articles 14, 21 and 300 (A) of the Constitution of India also violation of the principles of natural justice consequently direct the Respondents to pay the pending vehicle petrol bills of Rs 2,64,131/- for TITLI cyclone damaged/destroyed trees clearing works and pass

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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 to direct the Respondents to pay the pending vehicle petrol bills of Rs 2,64,131/- for TITLI cyclone damaged/destroyed trees clearing works and pass

Counsel for the Petitioner:

1. TOTA TEJESWARA RAO

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR PANCHAYAT RAJ RURAL DEV
3. GP FOR FINANCE PLANNING

The Court made the following:

::ORDER::

Heard Sri Tota Tejeswara Rao, 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 1, 2, 4 and 6, and Ms. Usha, learned Assistant Government Pleader for Revenue for the respondents 3 and 5.

2. The above writ petition was filed to declare the action of the respondents in not paying an amount of Rs. 2,64,131/- in relation to the works

executed by the petitioner i.e., TITLI cyclone damaged/destroyed trees clearing works, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, Ms. Usha, learned Assistant Government Pleader for Revenue, submitted the written instructions of the District Collector, Srikakulam – 3rd respondent dated 04.05.2026.

4. As seen from the instructions, the amount payable to the petitioner is Rs.2,58,331/-.

5. In reply, learned counsel for the petitioner, endorses that the balance amount payable to the petitioner is Rs.2,58,331/-.

6. Thus, as seen from the instructions and the submission of learned counsel on either side, there is no dispute regarding the balance amount of Rs.2,58,331/- payable to the petitioner. 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.”

7. Given the submission of learned counsel on either, the Writ Petition is disposed of directing the respondents to release the amount of Rs.2,58,331/- (Rupees Two Lakhs Fifty Eight Thousand Three Hundred and Thirty One only)

¹ 2025 SCC online SC 1400

payable to the petitioner regarding execution of the aforementioned works, within two (02) 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: 08.05.2026
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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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Date: 08.05.2026

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