



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

[3331]

MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 17091/2024

Between:

1.YADAM VENKATA SUNIL,, S/O.RAJENDRA PRASAD, AGED ABOUT
44 YEARS, R/O.2-39, KARUMURU VILLAGE, REPALLE MANDAL
BAPATLA DISTRICT (PREVIOUSLY GUNTUR DISTRICT)

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT
DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, FINANCE AND PLANNING DEPARTMENT,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT.

3.THE PROJECT DIRECTOR, MAHATMA GANDHI NATIONAL RURAL
EMPLOYMENT GUARANTEE SCHEME (MGNREGS), GUNTUR,
GUNTUR DISTRICT.

4.A P STATE HOUSING CORPORATION LIMITED, II FLOOR, S.P.
RIVER VIEW BUILDING, TADEPALLI, AMARAVATI, REP. BY ITS
MANAGING DIRECTOR.

5.THE DISTRICT PANCHAYAT OFFICER, BAPATLA DISTRICT,
BAPATLA.

6.THE GRAM PANCHAYAT, KARUMURU, REPALLE MANDAL,
BAPATLA DISTRICT, REP. BY ITS SECRETARY,

7.THE DISTRICT WATER MANAGEMENT AGENCY DWMA, GUNTUR
DISTRICT, GUNTUR, REP. BY ITS PROJECT DIRECTOR

...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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in withholding the amount of Rs. 10,50,000/- even after completion of work and finalization of Bills payable to the petitioner in relation to the works i.e.. Levelling work of Land Development Project in Community Lands, in Karumuru Gram Panchayat, Repalle Mandal, Bapatla District vide Work I.D. 070935201002170501, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondent authorities to release the amount of Rs. 10,50,000/- with interest @ 24 percent p.a. for the pending bills, forthwith for the above said works executed by the petitioner 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 release the pending amount of Rs. 10,50,000/- with interest @ 24% p.a. in relation to the works i.e.. Levelling work of Land Development Project in Community Lands, in Karumuru Gram Panchayat, Repalle Mandal, Bapatla District vide Work I.D. 070935201002170501, executed by the petitioner, pending disposal of writ petition and pass

Counsel for the Petitioner:

1.SANAKA MANASWI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.K MALLIKHARJUNA MOORTHY

3.GP FOR FINANCE PLANNING

4.Mattegunta.Sudhir,Standing Counsel For Z.P.Ps,M.P.Ps,Gram

Panchayats

The Court made the following:

::ORDER::

Heard Ms. Sanaka Manaswi, learned counsel for the petitioner, P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development & Finance and Planning Department, for the respondents 1 to 3, 5 and 7, Sri K.Mallikharjuna Moorthy, learned counsel for the 4th respondent and Ms. Kavitha, learned counsel representing Sri M.Sudhir, learned Standing counsel for the 6th respondent.

2. The above writ petition was filed to declare the action of the respondents in withholding the balance amount of Rs.10,50,000/- in relation to the work executed by the petitioner i.e., Leveling work of Land Development Project in Community Lands in Karumuru Gram Panchayat, Repalle Mandal, Bapatla District *vide* Work I.D.No.070935201002170501, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, the learned Assistant Government Pleader for Panchayat Raj and Rural Development submitted instructions of the Project Director, DWMA, Bapatla - 3rd respondent dated 10.02.2026.

4. As seen from the instructions, the total value of the work done by the petitioner in relation to the aforementioned works is Rs.12,24,196/-. After QC recovery of Rs.2,49,358/-, the balance amount payable to the petitioner comes to Rs.9,74,838/-. Out of the same, an amount of Rs.1,64,109/- was

already paid to the petitioner, and the balance amount payable to the petitioner is Rs.8,10,729/-.

5. In reply, learned counsel for the petitioner, endorses that the balance amount payable to the petitioner is Rs. 8,10,729/-.

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. 8,10,729/- 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 balance amount of Rs. 8,10,729/- (Rupees Eight Lakhs Ten Thousand Seven Hundred and Twenty Nine only) payable to the petitioner regarding execution of the aforementioned

¹ 2025 SCC online SC 1400

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: 16.02.2026
SNI

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 17091 of 2024

Date: 16.02.2026
SNI