



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

[3327]

FRIDAY, THE 31st DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO: 18657/2026

Between:

1.MARNI MURALI KRISHNA, S/O.NAGESWARA RAO, AGED ABOUT 42 YEARS, R/O.H.NO.4-58A, NEAR PEDDA NUYYA, NALLJERLA MANDAL EAST GODAVARI DISTRICT-534112.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI,AMARAVATHI, GUNTUR DISTRICT - 522237.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT - 522237.

3.THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT, PVS EMPIRE, NEAR PATUR CROSS ROAD, TADEPALLI, GUNTUR DISTRICT - 522501.

4.THE DISTRICT COLLECTOR, EAST GODAVARI DISTRICT, RAJAMAHENDRAVARAM - 533100,

5.THE EXECUTIVE ENGINEER, PRI DIVISION, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT - 533100.

6.THE PAY AND ACCOUNTS OFFICER, DIRECTOR OF ACCOUNTS DEPARTMENT, DOWLAISWARAM, EAST GODAVARI DISTRICT - 533125.

...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 not releasing the amount/bill payable to the petitioner for the completed works under M-Book pass orders i.e. 1.M.B.Nos.291 A/ZPJ/NREGS/2017-18, 238B/ZPJ/NREGS/2019-2020, and 285/B/NREGS/24-25 for Rs.7,53,572/-, 2. M.B.No.24A/ZPJ/NREGS/2020-2021 for Rs.2,48,138/-, together in total Rs. 10,01,710/- which were kept pending even after finalizing the bills as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and also oppose to the settled principles of law, and consequently direct the respondents to release/pay petitioners amount for the completed works under M-Book Pass orders i.e., 1 .M.B.NOS.291/WZPJ/NREGS/2017-18 238B/ZPJ/NREGS/2019-2020, 285/B/NREGS/24-25 for Rs.7,53,572/-, 2. M.B.No.24A/ZPJ/NREGS/2020-2021 for Rs.2,48,138/-, together in total Rs.10,01,710/-, 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 1ST and 2ND respondents to release amount payable to the petitioner under M-Book Pass orders i.e., 1.M.B.Nos.291A/ZPJ/NREGS/2017-18, 238B/ZPJ/NREGS/2019-2020, AND 285/B/NREGS/24-25 for Rs.7,53,572/-, 2. M.B.No,24A/ZPJ/NREGS/2020-2021 for Rs.2,48,138/-, together in total Rs.10,01,710/-, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1.RAVULA NAGARJUNA

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

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 the amount/bill payable to the petitioner for the completed works under M-Book pass orders i.e. 1.M.B.Nos.291 A/ZPJ/NREGS/2017-18, 238B/ZPJ/NREGS/2019-2020, and 285/B/NREGS/24-25 for Rs.7,53,572/-, 2. M.B.No.24A/ZPJ/NREGS/2020-2021 for Rs.2,48,138/-, together in total Rs. 10,01,710/- which were kept pending even after finalizing the bills as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and also oppose to the settled principles of law, and consequently direct the respondents to release/pay petitioners amount for the completed works under M-Book Pass orders i.e., 1 .M.B.NOS.291/WZPJ/NREGS/2017-18 238B/ZPJ/NREGS/2019-2020, 285/B/NREGS/24-25 for Rs.7,53,572/-, 2. M.B.No.24A/ZPJ/NREGS/2020-2021 for Rs.2,48,138/-, together in total Rs.10,01,710/- and pass such other order...”

2. Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Panchayat Raj and Rural Development.
3. The petitioner claims to be a registered contractor engaged in the execution of civil works and that he was entrusted with various works of the Panchayat Raj Department and the Roads & Buildings Department on a tender basis. It is the case of the petitioner that he was awarded a contract for execution of the works viz. (1) Construction of Grama Sachivalayam at Chinnayagudem Village, Deverapalli Mandal and (2) Construction of RBK Centre at Chinnayagudem Village, Devarapalli Mandal. It is the case of the petitioner that he deposited the requisite security amount and executed the works to the satisfaction of the authorities concerned, and upon completion of the works, the respondent authorities measured the same and recorded the measurements in the Measurement Books.
4. It is the grievance of the petitioner that notwithstanding the completion of the works and its measurement by the competent authorities, the amount due towards the executed works has not been paid till date. According to the

petitioner, although the works were completed long back, the respondent authorities are not releasing the admitted amount payable to him. Aggrieved by the non-payment of the said amount, the petitioner filed the present Writ Petition.

5. Learned Assistant Government Pleader for Panchayat Raj and Rural Development, on written instructions, from the Executive Engineer, PRI Division, Rajamahendravaram-5th respondent, submits that there is no dispute with regard to the execution of the subject works by the petitioner. He further submits that an amount of Rs.42,00,417/- has already been paid to the petitioner. He further submits that the petitioner is entitled to an amount of Rs.10,01,710/- after statutory deductions of Rs.1,61,048/- and that the bills were sent to MCC for payment on 04.06.2025 and the same are pending at MCC Deverapalli. 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 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. 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 submissions of the learned Assistant Government Pleader for Panchayat Raj and Rural Development, the respondent authorities are

¹ 2025 SCC OnLine SC 1400

directed to pay a sum of Rs.10,01,710/- to the petitioner within a period of six (6) 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.

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

JUSTICE K. SREENIVASA REDDY

Date: 31.07.2026.

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HON'BLE SRI JUSTICE K. SREENIVASA REDDY

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Date: 31.07.2026

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