

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 19180 OF 2024

Between:

B.Siva Ram Reddy, S/o. Ravindranath Reddy, age 49 years, R/o D.No. 1/183,
R.Tummalapalli Village, Pulivendula Mandal YSR Kadapa District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayath Raj Department, A.P. Secretariat Building, Velagapudi, Amaravathi.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Finance Department, A.P. Secretariat Building, Velagapudi, Amaravathi.
3. The District Collector, YSR Kadapa District.
4. The Chief Engineer, Panchayath Raj Department, Vijayawada, Krishna District.
5. The Superintending Engineer, PRI Division, Kadapa, YSR Kadapa District.
6. The Executive Engineer, PRI Division, Pulivendula, YSR Kadapa District.

...Respondents

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 more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the payments for the works executed by the petitioner (i)

Construction of Compound Wall to Chennakesava Swamy Temple in Madur (V and GP) of Thondur Mandal in YSR Kadapa through the Agreement No. /2023-24, dated 21.08.23 for an amount of Rs. 13,09,460/- and (ii) Construction of Road dam to Thelluru Vanka at Thelluru (V and GP) of Thondur Mandal in YSR Kadapa District through the Agreement No. /2023-24, dated 01.05.23 for an amount of Rs.34,82,929/- cumulative amount for the two works an amount of Rs.47,92,389/-, as illegal, arbitrary and contrary to law and un constitution and violation of Article 14 of Constitution of India and consequently direct the respondents to release an amount of Rs.47,92,389/- with 18 % per annum to the petitioner in respect of the execution of aforementioned works forthwith.

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Petition under Section 151 of CPC is filed 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 an amount of Rs.47,92,389/- with interest at 18% for the work executed by the petitioner (i) Construction of Compound Wall to Chennakesava Swamy Temple in Madur (V&GP) of Thondur Mandal in YSR Kadapa through the Agreement No. /2023-24, dated 21.08.23 for an amount of Rs. 13,09,460/- and (ii) Construction of Road dam to Thelluru Vanka at Thelluru (V&GP) of Thondur Mandal in YSR Kadapa District through the Agreement /2023-24, dated 01.05.23 for an amount of Rs.34,82,929/-, Pending disposal of WP 19180 of 2024, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SMT MARELLA RADHA, Advocate for the Petitioner, and of GP FOR PANCHAYAT RAJ RURAL DEV, for the Respondent Nos.1, 3 to 6, and of GP FOR FINANCE, for the Respondent No.2, the Court made the following

ORDER:

Heard Smt. Marella Radha, learned Counsel for the Writ Petitioner and Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj & Rural Development.

2. Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj & Rural Development seeks further time to obtain Written Instructions.

3. It transpires from record that since the date of first listing i.e., on 03.09.2024, till date, this Writ Petition was earlier listed 9 times. Today is the 10th listing.

4. In this view of the matter, this Court is of the opinion that the Official Respondents are dragging their feet even in furnishing Written Instructions. The Chief Engineer, Panchayat Raj Department, Vijayawada (Respondent No.4), the Superintending Engineer, PRI Division, Kadapa (Respondent No.5) and the Executive Engineer, PRI Division, Pulivendula (Respondent No.6) are directed to appear before the Court on the next date of hearing to answer the queries of the Court.

5. Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj & Rural Development is directed to convey the gist of this Order to the Official Respondents forthwith, for effective compliance.

6. List the matter on 02.04.2025 in the motion list.

//TRUE COPY//

For

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Panchayath Raj Department, State of Andhra Pradesh, A.P. Secretariat Building, Velagapudi, Amaravathi.

2. The Principal Secretary, Finance Department, State of Andhra Pradesh, A.P. Secretariat Building, Velagapudi, Amaravathi. **(Addressees 1 & 2 by Special Messenger)**
3. The District Collector, YSR Kadapa District. **(by RPAD)**
4. The Chief Engineer, Panchayath Raj Department, Vijayawada, Krishna District.
5. The Superintending Engineer, PRI Division, Kadapa, YSR Kadapa District.
6. The Executive Engineer, PRI Division, Pulivendula, YSR Kadapa District. **(Addressees 4 to 6 by Speed Post directed to appear before this Court on 02.04.2025)**
7. One CC to SMT MARELLA RADHA, Advocate [OPUC]
8. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh [OUT]
10. **One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:25/03/2025

NOTE: List the matter on 02.04.2025 in the motion list.

ORDER

WP.No.19180 of 2024

APPEARANCE

