

[3332]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 19825 OF 2023

Between:

Silari Ramu, S/o. Nageswara Rao, aged 32 years Occ. contractor, R/o. D No. 1-195
Kanduloapati vari Market Road, K.P. Palem 534 280 Mogalturu Mandal, West
Godavari District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by it's Principal Secretary, Housing Board Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. The State of AP, Rep.by its Principal Secretary, Finance Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
3. AP State Housing Corporation Ltd., Rep by its Chairman and Managing Director Housing Board, Vijayawada.
4. The Project Director, AP State Housing Corporation Ltd., Bhimavaram West Godavari District.
5. The Executive Engineer / District Head Housing, AP State Housing Corporation Ltd., Narsapur West Godavari District
6. The Deputy Executive Engineer, AP State Housing Corporation Ltd., Achanta West Godavari District.
7. The Assistant Executive Engineer, AP State Housing Corporation Ltd., Achanta West Godavari District.

...Respondents

WHEREAS the Petitioner above named through his Advocate SRI TENEPALLI NIRANJAN presented this 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 of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of the Respondents in not releasing the final bill amount of Rs. 9,66,675/- to the petitioner including interest for the works done in pursuance of agreement with the 5th respondent vide LS Agreement No.28/2022-23/E, dated 17.11.2022 as being illegal, arbitrary, violation of Principles of Natural Justice and unconstitutional and to consequently direct the Respondents to pay undisputed final bill amount Rs. 9,66,675/- to the petitioner including interest for the works done in pursuance of agreement with the 5th respondent vide LS Agreement No.28/2022-23/E, dated 17.11.2022.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri TENEPALLI NIRANJAN Advocate for the Petitioner, and of Government Pleader for Housing Board Department for the respondent No.1, and of Government Pleader for Finance &

Planning for the respondent No.2, and of Sri E.V.Jagannadha Rao, standing counsel for the Andhra Pradesh State Housing Corporation Limited for the respondent Nos.3 to 7, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Housing Board Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. The Principal Secretary, Finance Department, State of AP, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
3. The Chairman and Managing Director, AP State Housing Corporation Ltd., Housing Board, Vijayawada.
4. The Project Director, AP State Housing Corporation Ltd., Bhimavaram West Godavari District.
5. The Executive Engineer / District Head Housing, AP State Housing Corporation Ltd., Narsapur West Godavari District.
6. The Deputy Executive Engineer, AP State Housing Corporation Ltd., Achanta West Godavari District.
7. The Assistant Executive Engineer, AP State Housing Corporation Ltd., Achanta West Godavari District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 16.08.2023.

The Court made the following: ORDER

"Notice before admission.

Learned Government Pleader for Housing Board Department takes notice on behalf of respondent No.1.

Learned Assistant Government Pleader for Finance & Planning takes notice on behalf of respondent No.2.

Sri E.V.Jagannadha Rao, learned standing counsel for the Andhra Pradesh State Housing Corporation Limited takes notice on behalf of respondent Nos.3 to 7.

For instructions, post on 16.08.2023 in the Motion List."

//TRUE COPY//

**Sd/-B.PRASADA RAO
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. The Principal Secretary, Housing Board Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. The Principal Secretary, Finance Department, State of AP, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
3. The Chairman and Managing Director, AP State Housing Corporation Ltd., Housing Board, Vijayawada.
4. The Project Director, AP State Housing Corporation Ltd., Bhimavaram West Godavari District.
5. The Executive Engineer / District Head Housing, AP State Housing Corporation Ltd., Narsapur West Godavari District.
6. The Deputy Executive Engineer, AP State Housing Corporation Ltd., Achanta West Godavari District.
7. The Assistant Executive Engineer, AP State Housing Corporation Ltd., Achanta West Godavari District. **(Addresses 1 to 7 by RPAD- along with a copy of petition and Affidavit)**
8. One CC to SRI. TENEPALLI NIRANJAN, Advocate [OPUC]
9. One CC to Sri E.V.Jagannadha Rao, standing counsel for the Andhra Pradesh State Housing Corporation Limited [OPUC]
10. Two CCs to Government Pleader for Housing Board Department, High Court Of Andhra Pradesh. [OUT]
11. Two CCs to Government Pleader for Finance & Planning, High Court Of Andhra Pradesh. [OUT]
12. **One spare copy**

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HIGH COURT

RC, J

DATED:07/08/2023

Post on 16.08.2023

NOTICE BEFORE ADMISSION

WP.No.19825 of 2023

