



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

MONDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20472 OF 2023



Between:

K.Bhavani, W/o.K.Reddi Sekhar, Aged about 38 years, Occ- Contractor,
R/o.Gudupalle Village and Mandal, Chittoor District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Municipal Administration, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Chittoor, Chittoor District.
3. Kuppam Municipality, Kuppam, Chittoor District, Rep. by its Commissioner.
4. The Deputy Executive Engineer, Kuppam Municipality, Kuppam, Chittoor District.
5. The Executive Engineer Public Health, Tirupati, Chittoor District.
6. The Director, Comprehensive Financial Management System (CFMS) A.P., Vijayawada, Krishna District.
7. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur 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 a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents in withholding the payment of Rs.4,99,182/-, Rs.4,90,121/-, Rs.1,13,791/- and 1,48,850/- totally an amount of Rs.12,51,944/- even after finalizing the bills, payable to the petitioner in relation to the works i.e., 1) Construction of CC Drain From Mariamma temple to existing major drain at Paibata SC Colony in Ward No.22 in Kuppam Municipality, Chittoor District vide agreement No.80/2022-23 dt.21.09.2022, 2) Construction of CC Drain from Lakshmi theater to Tirupathi Gangamma Temple at RVM Street in Ward No.21 in Kuppam Municipality, Chittoor District vide agreement No.73/2022-23 dt.21.09.2022, 3) Construction CC drain from Gayathri house to end Shanthi house to Shafi house and shafi house to Teacher Pillai house at Vajravelu sheety street in ward No.20 in Kuppam Municipality, Chittoor District vide agreement No.33/2022-23 dt.01.07.2022, and 4) Construction of CC drain from Nethaji road to Sapthagiri grameena bank at Chittaranjan street end in ward No.16 in Kuppam Municipality, Chittoor District vide agreement No.34/22-23 dt.01.07.2022, is questioned, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of Rs.4,99,182/-, Rs.4,90,121/-, Rs.1,13,791/- and 1,48,850/- totally an amount of Rs.12,51,944/- with interest @12% per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith.

IA NO: 1 OF 2023

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 consider for payment of Rs.4,99,182/-, Rs.4,90,121/-, Rs.1,13,791/- and 1,48,850/- totally an amount of Rs.12,51,944/- with interest @12% per annum for the delayed amount to the petitioner in respect of execution of works i.e. 1) Construction of CC Drain From Mariamma

temple to existing major drain at Paibata SC Colony in Ward No.22 in Kuppam Municipality, Chittoor District" vide agreement No.80/2022-23 dt.21.09.2022, 2) Construction of CC Drain from Lakshmi theater to Tirupathi Gangamma Temple at RVM Street in Ward No.21 in Kuppam Municipality, Chittoor District" vide agreement No.73/2022-23 dt.21.09.2022, 3) Construction CC drain from Gayathri house to end Shanthi house to Shafi house and shafi house to Teacher Pillai house at Vajravelu sheety street in ward No.20 in Kuppam Municipality, Chittoor District" vide agreement No.33/2022-23 dt.01.07.2022, and 4) Construction of CC drain from Nethaji road to Sapthagiri grameena bank at Chittaranjan street end in ward No.16 in Kuppam Municipality, Chittoor District" vide agreement No.34/22-23 dt.01.07.2022, forthwith, pending disposal of the Writ Petition.

Counsel for the Petitioner: M/S. UMA MAHESWARI KALAVA

Counsel for the Respondent Nos. 6 & 7: GP FOR FINANCE & PLANNING

**Counsel for the Respondent Nos. 1 & 2: GP FOR MUNICIPAL ADMN
URBAN DEV**

**Counsel for the Respondent No.5: GP FOR MED HEALTH AND FAMILY
WELFARE**

**Counsel for the Respondent Nos. 3 & 4: SRI G LAKSHMI NARAYANA (SC
FOR MUNICIPALITIES)**

The Court made the following order:



APHC010396012023



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

[3457]

**MONDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION NO: 20472/2023**

Between:

**1.K.BHAVANI,, W/O.K.REDDI SEKHAR, AGED ABOUT 38 YEARS,
OCC- CONTRACTOR, R/O.GUDUPALLE VILLAGE AND MANDAL,
CHITTOOR DISTRICT.**

...PETITIONER

AND

**1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF MUNICIPAL ADMINISTRATION,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT.**

2.THE DISTRICT COLLECTOR, CHITTOOR, CHITTOOR DISTRICT.

**3.KUPPAM MUNICIPALITY, KUPPAM, CHITTOOR DISTRICT, REP. BY
ITS COMMISSIONER.**

**4.THE DEPUTY EXECUTIVE ENGINEER, KUPPAM MUNICIPALITY,
KUPPAM, CHITTOOR DISTRICT.**

**5.THE EXECUTIVE ENGINEER PUBLIC HEALTH, TIRUPATI,
CHITTOOR DISTRICT.**

**6.THE DIRECTOR, COMPREHENSIVE FINANCIAL MANAGEMENT
SYSTEM (CFMS) A.P., VIJAYAWADA, KRISHNA DISTRICT.**

**7.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF FINANCE AND PLANNING,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
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 topleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents in withholding the payment of Rs.4,99,182/-, Rs.4,90,121/-, Rs.1,13,791/- and 1,48,850/- totally an amount of Rs.12,51,944/- even after finalizing the bills, payable to the petitioner in relation to the works i.e., 1) Construction of CC Drain From Mariyamma temple to existing major drain at Paibata SC Colony in Ward No.22 in Kuppam Municipality, Chittoor District vide agreement No.80/2022-23 dt.21.09.2022, 2) Construction of CC Drain from Lakshmi theater to Tirupathi Gangamma Temple at RVM Street in Ward No.21 in Kuppam Municipality, Chittoor District vide agreement No.73/2022-23 dt.21.09.2022, 3) Construction CC drain from Gayathri house to end Shanthi house to Shafi house and shafi house to Teacher Pillai house at Vajravelu sheety street in ward No.20 in Kuppam Municipality, Chittoor District vide agreement No.33/2022-23 dt.01.07.2022, and 4) Construction of CC drain from Nethaji road to Sapthagiri grameena bank at Chittaranjan street end in ward No.16 in Kuppam Municipality, Chittoor District vide agreement No.34/22-23 dt.01.07.2022, is questioned, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of Rs.4,99,182/-, Rs.4,90,121/-, Rs.1,13,791/- and 1,48,850/- totally an amount of Rs.12,51,944/- with interest @12percent per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith and pass

IA NO: 1 OF 2023

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 please to direct the respondents to consider for payment of Rs.4,99,182/-, Rs.4,90,121/-, Rs.1,13,791/- and 1,48,850/- totally an amount of Rs.12,51,944/- with interest @12% per annum for the delayed amount to the petitioner in respect of execution of works i.e. 1) Construction of CC Drain From Mariyamma temple to existing major drain at Paibata SC Colony in Ward No.22 in Kuppam Municipality, Chittoor District" vide agreement No.80/2022-23 dt.21.09.2022, 2) Construction of CC Drain from Lakshmi theater to Tirupathi Gangamma Temple at RVM Street in Ward No.21 in Kuppam Municipality, Chittoor District" vide agreement No.73/2022-23 dt.21.09.2022, 3) Construction CC di-ain from Gayathri house to end Shanthi house to Shafi house and shafi house to Teacher Pillai house at Vajravelu sheety street in ward No.20 in Kuppam Municipality, Chittoor District" vide

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Counsel for the Petitioner:

1.UMA MAHESWARI KALAVA

Counsel for the Respondent(S):

- 1.GP FOR FINANCE PLANNING
- 2.GP FOR MUNICIPAL ADMN URBAN DEV
- 3.GP FOR MED HEALTH AND FAMILY WELFARE
- 4.N RANGA REDDY (SC MC RSEEMA SPSR NLR)

This Court made the following Order:-

1. The learned counsel for the petitioner is aggrieved by the inaction on part of the respondents in not releasing the payment for the work done by the petitioner.
2. The petitioner completed the works and entrusted by the respondent No.3 and obtained work completion certificates also from the competent authority. It is submitted that final bills were also submitted to the 3rd respondent, and the payment were processed, and the bills were to be cleared by the respondent. However, no amounts have been credited to the petitioner, inspite of the completion of the works to the best satisfaction of the respondent corporation.
3. The learned Standing counsel for the 3rd respondent, in the counter-affidavit, has submitted that the petitioner had completed the works beyond the stipulated time and that he failed to obtain any extension of time for completion of the works. As such, the bills were not processed in time. It is submitted that it is essential for the petitioner to seek an extension of time when the schedule for completion is overshoot.
4. Heard the learned counsel for the petitioner and the learned Standing counsel appearing for the respondent No.3.
5. It is not in dispute that the work completion certificate has been issued to the petitioner for the works which were entrusted to the petitioner. The final certificates issued to the petitioner evidencing completion of the work are also

filed along with the writ petition. Mere non-representation for extension of time for completion in time is in no way a valid ground for the respondent authorities to withhold the payments for the works completed by the petitioner.

6. With these considerations, this Court is of the considered view, that the respondent Nos.3 to 7 are to be directed to release the payments due payable to the petitioner for the work completed by the petitioner. The payments shall be released within a period of six (06) weeks from the date of the receipt of this order.

7. Accordingly, the present writ petition is disposed off. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

Sd/-B.PRASADA RAO
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Department of Municipal Administration, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Chittoor, Chittoor District.
3. The Commissioner, Kuppam Municipality, Kuppam, Chittoor District.
4. The Deputy Executive Engineer, Kuppam Municipality, Kuppam, Chittoor District.
5. The Executive Engineer Public Health, Tirupati, Chittoor District.
6. The Director, Comprehensive Financial Management System (CFMS) A.P., Vijayawada, Krishna District.
7. The Principal Secretary, Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.



8. One CC to Sri Uma Maheswari Kalava, Advocate [OPUC]
9. Two CCs to GP for Finance Planning High Court of Andhra Pradesh [OUT]
10. Two CCs to GP for Municipal Admn Urban Dev High Court of Andhra Pradesh [OUT]
11. Two CCs to GP for Med Health and Family Welfare High Court of Andhra Pradesh [OUT]
12. One CC to Sri G Lakshmi Narayana (SC for Municipalities) Advocate [OPUC]
13. Two CD Copies

TF

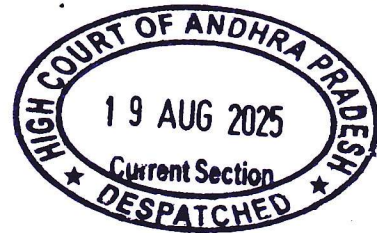


HIGH COURT

DATED:28/07/2025

ORDER

WP NO. 20472 OF 2023



DISPOSING OF THE W.P., WITHOUT COSTS