

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

**WEDNESDAY, THE TWENTY EIGHTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY SIX**

**:PRESENT:
THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI**

WRIT PETITION NO: 20499 OF 2024



Between:

V. Prabhakar Reddy, S/o Subbareddy, Aged about 60 years, R/o D.No. 23-4-49, 1B, Tamara Heights, Lecturers Colony, Magunta Layout, Nellore, SPSR Nellore District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj Department, AP Secretariat, Velagapudi, Amaravati, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance and Planning, AP Secretariat, Velagapudi, Amaravati, Guntur District.
3. The Superintendent Engineer, Panchayat Raj Circle, Nellore, SPSR Nellore District.
4. The Executive Engineer, PR, QA & QC Division, Nellore, SPSR Nellore District
5. The Deputy Executive Engineer, PR, QA & QC Sub-Division, Nellore, SPSR Nellore District.
6. The Assistant Executive Engineer, PR, QA & QC Sub-Division, Nellore, SPSR Nellore District.

Respondents

Petition under Article 226 of the Constitution of India, is filed 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 non-payment an amount of Rs. 3,84,00,000/- in total due for the last three years even after finalizing the bills, payable to the petitioner after the successful completion of the execution of works i.e. "1. Urgent repairs to the road from Nellore-Podalakur road to Thoderu in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 110.00 Lakhs, 2. Urgent repairs to the road from PS road to Vavintaparthi (via) Mogallur in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 113.00 Lakhs, 3. Urgent repairs to the road from P.S road to Ammavaripalem via., Nandivoya in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 141.00 Lakhs and 4. Urgent repairs to the road from Ammavaripalem road to Ayyavaripalem in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 141.00 Lakhs, vide Agreement No. 12 /2023-24, Dated-10.08.2023, vide Package No. APAM/NLR/Surveypalli/18 consisting of 15 works in Surveypalli Constituency- Est Cost Rs. 1048.00 Lakhs" duly approved by the respondents, as illegal, arbitrary, unjust, unreasonable and violative of fundamental rights guaranteed to the Petitioner under Articles 14 and 21 of the Constitution of India and consequently direct the respondents to release an amount of Rs.3,84,00,000/- towards the works executed by the petitioner along with 12% interest per annum;

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Petition under Section 151 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 pay the amount of Rs. 3,84,00,000/- in total due for the last three years even after finalizing the bills, payable to the petitioner after the successful completion of the execution of works i.e., 1. Urgent repairs to the road from Nellore-Podalakur road to

Thoderu in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 110.00 Lakhs, 2. Urgent repairs to the road from PS road to Vavintaparthi (via) Mogallur in Poadalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 113.00 Lakhs, 3. Urgent repairs to the road from P.S road to Ammavaripalem via., Nandivoya in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 141.00 Lakhs and 4. Urgent repairs to the road from Ammavaripalem road to Ayyavaripalem in Podalakur Mandal of SPSR Nellore District, Estimate Cost of Rs. 141.00 Lakhs, vide Agreement No. 12 /2023-24, Dated: 10.08.2023, vide Package No. APAM/NLR/Surveypalli/18 consisting of 15 works in Surveypalli Constituency- Est Cost Rs. 1048.00 Lakhs, forthwith, pending disposal of the main writ petition;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. V VINOD K REDDY, Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ & RURAL DEV; for the Respondent Nos.1 & 3 and of GP FOR FINANCE, for the Respondent No.2;

The Court made the following ORDER:

The above writ petition was filed to declare the action of respondents in not paying an amount of Rs.3,84,00,000/- payable to the petitioner in respect of four works, as illegal and arbitrary.

The writ petition was listed on 18.09.2024 and adjourned at the request of learned Government Pleader, for getting instructions. Thereafter, the matter was adjourned on seven occasions for filing counter-affidavit.

Counter-affidavit is not filed so far.

As per Rule 12(i)(a) of the Writ Proceedings Rules counter-affidavit is to be filed within 120 days from the date of service of notices, as substituted by amendment vide ROC No.2689/SO/2016, A.P Gazettee No.10 dated 08.05.2017.

Today, when the matter is taken up for consideration, learned Assistant Government Pleader for Panchayat Raj and Rural Development seeks further time to file counter-affidavit.

List the matter on 18.02.2026.

If counter-affidavit is not filed by the next date of hearing, the 3rd respondent shall appear before the Court, along with entire record.

//TRUE COPY//

SD/-SK MD RAFI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj Department, The State of Andhra Pradesh, AP Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, The State of Andhra Pradesh, AP Secretariat, Velagapudi, Amaravati, Guntur District. (1 & 2 by SPECIAL MESSENGER)
3. The Superintendent Engineer, Panchayat Raj Circle, Nellore, SPSR Nellore District.
4. The Executive Engineer, PR, QA & QC Division, Nellore, SPSR Nellore District
5. The Deputy Executive Engineer, PR, QA & QC Sub-Division, Nellore, SPSR Nellore District.
6. The Assistant Executive Engineer, PR, QA & QC Sub-Division, Nellore, SPSR Nellore District. (Addressee Nos. 3 to 6 BY RPAD)
7. One CC to Sri. V VINOD K REDDY, Advocate [OPUC]
8. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEV, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

HIGH COURT

SRS, J

DATED:28/01/2026

LIST THE MATTER ON 18.02.2026.

ORDER

WP.No.20499 of 2024

DIRECTION

