



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

[3331]

**TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 21038/2025

Between:

1.P R ARUN KUMAR, S/O. LATE RAMAPPA, AGED 50 YEARS, VLC
PRESIDENT, R/O.NARSAMBUDHI G.P, AGALI MANDAL, SRI
SATHYA SAI DISTRICT.

...PETITIONER

AND

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

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

3.THE DISTRICT COLLECTOR, SATHYA SAI DISTRICT, ANDHRA
PRADESH.

4.THE EXECUTIVE ENGINEER, PANCHAYAT RAJ DEPARTMENT,
RWS AND S, PENUKONDA DIVISION, SATHYA SAI DISTRICT.

5.THE DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ
DEPARTMENT, RWS AND S SUB-DIVISION, MADAKASIRA
MANDAL, SRI SATHYA SAI 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 to issue a writ, order, or direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction and delay on the part of the Respondents in releasing the bill amounts for the following works undertaken under GadapaGadapaku Mana Prabhutvam funds (i) agreement dated 27-11-2023 for Construction of drainage from Shamil Veerabhadrappe House to Veerabhadra Swamy Temple at Madhudi Village for Rs-4,04,506.25 (ii) agreement dated 27-11-2023 for Construction of C.C. drains from Hanumantharayappa House to Nagaratanamma House at Thonasanapalli for Rs- 4,69,900.30 as arbitray, illegal and violative of Articles 14 and 21 of the Constitution of India, and consequently direct the Respondents to release the corresponding bill amounts forthwith, in the interest of justice and equity

IA NO: 1 OF 2025

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 pay the bills amount to the Petitioner covered by the works under (i) agreement dated 27-11-2023 for Construction of drainage from Shamil Veerabhadrappe House to Veerabhadra Swamy Temple at Madhudi Village for Rs-4,04,506.25 (ii) agreement dated 27-11-2023 for Construction of C.C. drains from Hanumantharayappa House to Nagaratanamma House at Thonasanapalli for Rs- 4,69,900.30 forthwith pending disposal of the writ petition in the interest of justice

Counsel for the Petitioner:

1.P MADHUKAR REDDY

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

::ORDER ::

The above writ petition was filed to declare the action of the respondents in not releasing an amount of Rs.4,04,506.25/- & Rs.4,69,900.30/-, relating to the works executed by the petitioner i.e.

construction of new drainage from Shamil Veerabhadrappe House to Veerabhadra Swamy Temple in Madhudi Village, Madhudi GP of Agali Mandal and construction of CC drainage from Hanumantharayappa House to Nagarathnamma house at Thonasanapalli Village, Agali Mandal, respectively, as illegal and arbitrary.

2. Heard Sri P. Madhukar Reddy, learned counsel for the petitioner; Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development & Finance and Planning Department, appeared for respondents.

3. Today, when the matter is taken up for consideration, the learned Assistant Government Pleader for Panchayat Raj, submitted the written instructions of the Executive Engineer, RWS&S Division, Penukonda – respondent No.4.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned works. It would further indicate that the total value of the work done by the petitioner is Rs.7,53,368/-, after statutory deductions i.e. Rs.86,764/-, and the net amount payable to the petitioner is Rs.6,66,604/-. The written instructions are made as part of the record. Learned counsel for the petitioner endorses the same.

5. Thus, as seen from the instructions, there is no dispute regarding the execution of work and the petitioner's entitlement for Rs.6,66,604/-. 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

¹ 2025 SCC online SC 1400

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.”.

6. Given the instructions furnished by respondent No.4, the Writ Petition is disposed of, directing the respondents to release an amount of Rs.6,66,604/- payable to the petitioner regarding execution of the aforementioned works, within three (03) months from the date of receipt of the copy of this order. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 17.02.2026
TVN

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 21038 of 2025

Date: 17.02.2026
TVN