

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

**MONDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

:PRESENT:

HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 21140 OF 2024



Between:

M/s Deepthi Ads, Rep. by its Proprietor, Sri Kakarla Suresh, S/o. Radha Krishna Murthy, Aged about 67 years O/o. Krosuru, Krishna District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Department of Cooperation, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi Amaravati, Guntur District.
2. The Andhra Pradesh Sagara (Uppara) Cooperative Societies Federation Ltd., Vijayawada. Rep. by its Managing Director, D.No. 15-88/1, GVR Towers, Srinagar Colony, Ponaki, Vijayawada, NTR District.
3. The Managing Director, The Andhra Pradesh Sagara (Uppara) Cooperative Societies Federation Ltd., Vijayawada, D.No. 15-88/1, GVR Towers, Srinagar Colony, Ponaki, Vijayawada, NTR District.
4. The State of Andhra Pradesh, Department of Finance, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi, Amaravati, 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 an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondent

authorities in not releasing an amount of Rs. 94,40,000/- to the petitioner for the execution of work vide Work Order no. Rc.No.05/W/APSUCSF/2018-19 dated 25-12-2018, as arbitrary, illegal, contrary to law and against the Principles of Natural Justice and against the Norms of the Public Policy and to issue consequential direction directing the respondent authorities to release the amounts payable to the petitioner with an interest at 18 % per annum

IA NO: 1 OF 2024

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 respondent authorities to release an amount of Rs. 94,40,000/- to the petitioner for the execution of work vide Work Order no. Rc.No.05/W/APSUCSF/2018-19 dated 25-12-2018, Pending disposal of WP 21140 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 SRI P SAI SURYA TEJA, Advocate for the Petitioner, and of GP FOR COOPERATION, for Respondent No.1, and of GP FOR FINANCE, for Respondent No.4, the Court made the following

ORDER:

Despite service of notice, no representation made on behalf of respondents 2 and 3 in these matters.

Therefore, the Registry is directed to issue Bailable Warrant to respondents 2 and 3 in these matters.

List these matters on 27.11.2024.

Sd/- S.V.S.R.MURTHY
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati
2. The Commissioner of Police, Vijayawada, NTR District (by Special Messenger)
3. One CC to SRI. P SAI SURYA TEJA, Advocate [OPUC]
4. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh. [OUT]
5. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh [OUT]
6. The Section Officer, Writ Non-Service Section, High Court of Andhra Pradesh, Amaravati
7. One spare copy

PSR



HIGH COURT

TRR,J

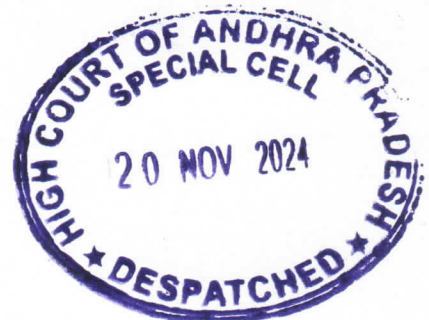
DATED:18/11/2024

NOTE: LIST THESE MATTERS ON 27.11.2024.

ORDER

WP.No.21140 of 2024

DIRECTION



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:PRESENT:

HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 21140 OF 2024



Between:

M/s Deepthi Ads, Rep. by its Proprietor, Sri Kakarla Suresh, S/o. Radha Krishna Murthy, Aged about 67 years O/o. Krosuru, Krishna District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Department of Cooperation, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi Amaravati, Guntur District.
2. The Andhra Pradesh Sagara (Uppara) Cooperative Societies Federation Ltd., Vijayawada. Rep. by its Managing Director, D.No. 15-88/1, GVR Towers, Srinagar Colony, Ponaki, Vijayawada, NTR District.
3. The Managing Director, The Andhra Pradesh Sagara (Uppara) Cooperative Societies Federation Ltd., Vijayawada, D.No. 15-88/1, GVR Towers, Srinagar Colony, Ponaki, Vijayawada, NTR District.
4. The State of Andhra Pradesh, Department of Finance, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.

...Respondents

Whereas the 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 respondent authorities in not releasing an amount of Rs. 94,40,000/- to the petitioner for the execution of work vide Work Order no. Rc.No.05/W/APSUCSF/2018-19 dated 25-12-2018, as arbitrary, illegal, contrary to law and against the Principles of Natural Justice and against the Norms of the Public Policy and to issue consequential direction directing the respondent authorities to release the amounts payable to the petitioner with an interest at 18 % per annum

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And Whereas the Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P SAI SURYA TEJA, Advocate for the Petitioner, and of GP FOR COOPERATION, for Respondent No.1, and of GP FOR FINANCE, for Respondent No.4, directed the Registry to Issue Bailable Warrants to Respondent Nos.2 & 3.

Therefore you viz;

The Commissioner of Police, Vijayawada, NTR District

are hereby directed to arrest the said respondents 2 & 3, since they are one and the same viz; The Managing Director, The Andhra Pradesh Sagara (Uppara) Cooperative Societies Federation Ltd., Vijayawada, D.No. 15-88/1, GVR Towers, Srinagar Colony, Ponaki, Vijayawada, NTR District, wherever

he is found and produce him bodily under safe custody and conduct before this Court on **27.11.2024** at 10:30 A.M., to which date the case stands posted.

You are further directed that if the said respondent furnishes self bond for a sum of Rs. 10,000/- (Rupees Ten thousand only) with an undertaking that he will appear before this Court on **27.11.2024**, he may be released on bail subject to the condition that he shall attend this Court on **27.11.2024** and shall continue to attend this Court until otherwise directed.

You are also further directed to return this warrant as early as possible preferably on or before **27.11.2024** to this Court with a detailed report stating the manner in which it has been executed.

Herein fail not.


JOINT REGISTRAR 19/11/2024

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravathi.
2. The Commissioner of Police, Vijayawada, NTR District (By Special Messenger)
3. One spare copy

PSR



HIGH COURT

TRR,J

DATED:18.11.2024

NOTE: LIST THESE MATTERS ON 27.11.2024.

ORDER

WP.No.21140 of 2024

BAILABLE WARRANT

