

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

FRIDAY, THE EIGHTEENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA**

**WRIT PETITION NO: 21026 OF 2023**

**Between:**

Sri. S.P. Raja Naik, S/o. S.P. Rathanam Naik, Aged about 39 years, D. No. 1-57, L. Thanda (V), Laksheme Nagaram (Post), Kurnool District.

**.. Petitioner/s**

**AND**

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Irrigation and Water Resources Department, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The State of Andhra Pradesh, Rep.by Principal Secretary to the Finance Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, (Irrigation Wing), Kurnool District at Kurnool.
4. The Engineer-in-Chief, Minor/Major Irrigation Department, Irrigation Bhavan, Vijayawada, Vijayawada District.
5. The Superintending Engineer, Irrigation & Water Resources Department, Irrigation Circle, Kurnool, Kurnool District.
6. The Executive Engineer, Irrigation & Water Resources Department, M.I. Works Division, Kurnool, Kurnool District.

**..Respondent/s**

WHEREAS the Petitioner above named through his Advocate Sri Komma Vijaya Raj Kumar, 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, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents herein in not releasing the admitted the final bill amount of Rs. 59,38,086/-, 1) Rs. 9,82,858/-, in respect of its Agreement No.2410/2018-19 Dated 08-03-2019, M.Book No. 3993, for the work "Construction of chek dam across Ooracheruvu Vanka Near Ambapuram (V) Bethamcherla (M) Kurnool (D)", 2) Rs. 9,93,075/-, in respect of its Agreement No.2414/2018-19 Dated 18-03-2019, M.Book No. 4005, for the work "Repairs to Ura Kunta Near Anumpalle (V) Dhone (M) Kurnool (D)", 3) Rs. 9,90,440/-, in respect of its Agreement No.2422/2018-19 Dated 18-03-2019, M.Book No. 3994, for the work "Contruction of check dam Across Jammulamma Vanka Near Bynapalli (V) Bethamcherla (M) Kurnool (D)", 4) Rs. 9,89,869/-, in respect of its Agreement No.2409/2018-19 Dated 18-03-2019, M.Book No. 3989, for the work "Construction of Check dam across Malellola vanka near Kalugotla (V) Veldurthi (MO Kurnool District)", 5) Rs. 9,89,337/-, in respect of its Agreement No.2451/2018-19 Dated 18-03-2019, M.Book No. 4041, for the work "Desilting and jungle clearace of Kandakam

Vanka near Road causeway near Bethamcherla (V) & (M) Kurnool District", 6) Rs. 9,92,507/-, in respect of its Agreement No.2450/2018-19 Dated 18-03-2019, M.Book No. 4043, for the work "Desilting and jungle clearance of Kappalabavi vanka chael near pèndekal (V) Betamchela (M) Kurnool District", despite successful completion of the Work executed by the Respondents in terms of the said Agreements even after finalizing the bills and in spite of repeated requests is illegal, arbitrary, unreasonable and violative of Articles 14, 16 and 21 of Constitution of India and consequently direct the respondents herein forthwith to release and pay the Admitted Bills Total an amount of Rs. 59,38,086/- ;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Komma Vijaya Raj Kumar, Advocate for the Petitioner, learned GP FOR IRRIGATION for respondent Nos.1,2 to 6 and learned GP FOR FINANCE AND PLANNING for respondent No.2 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, Irrigation and Water Resources Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Principal Secretary to the Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, (Irrigation Wing), Kurnool District at Kurnool.
4. The Engineer-in-Chief, Minor/Major Irrigation Department, Irrigation Bhavan, Vijayawada, Vijayawada District.
5. The Superintending Engineer, Irrigation & Water Resources Department, Irrigation Circle, Kurnool, Kurnool District.
6. The Executive Engineer, Irrigation & Water Resources Department, M.I. Works Division, Kurnool, Kurnool 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, within four (4) weeks.

**The Court made the following ORDER:**

**"Notice before admission.**

**List the matter after four (4) weeks.**

**In the meanwhile, learned Assistant Government Pleader for Irrigation & CAD, to secure written instructions in the matter. "**

//TRUE COPY//

For A

Sd/- V. SAVITRI GOWRI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Irrigation and Water Resources Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Principal Secretary to the Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The District Collector, (Irrigation Wing), Kurnool District at Kurnool.
4. The Engineer-in-Chief, Minor/Major Irrigation Department, Irrigation Bhavan, Vijayawada, Vijayawada District.
5. The Superintending Engineer, Irrigation & Water Resources Department, Irrigation Circle, Kurnool, Kurnool District.
6. The Executive Engineer, Irrigation & Water Resources Department, M.I. Works Division, Kurnool, Kurnool District. (Addressee Nos.1 to 6 by RPAD- along with a copy of petition and Affidavit)
7. One CC to SRI. KOMMA VIJAYA RAJ KUMAR Advocate [OPUC]
8. Two CCs to GP FOR IRRIGATION DEPT., High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR FINANCE PLANNING, High Court of Andhra Pradesh. [OUT]
10. One spare copy

KJ

**HIGH COURT**

**NJSJ**

**DATED:18/08/2023**

**LIST THE MATTER AFTER FOUR (4) WEEKS**

**NOTICE BEFORE ADMISSION**

**WP.No.21026 of 2023**

