

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE 22nd DAY OF JULY, 2026.

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 24593 OF 2025

Between:

M/s.KMR Constructions, Rep by its Managing Partner, K.Madhusudhana Reddy, S/o.Mala Konda Reddy, Aged about 52 years, R/o. D.No.27-2-353, Pulimi Street, Balaji Nagar, Nellore-2, Nellore District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Water Resources Department, Secretariat Building Velagapudi, Guntur District
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Roads and Buildings Department, Secretariat Building Velagapudi, Guntur District.
3. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Department of Finance and Planning, Secretariat, Velagapudi, Guntur District.
4. The Superintending Engineer, Irrigation Circle, Dowlaiswaram.
5. The Chief Engineer, GDS, Dowlaiswaram
6. The Executive Engineer, Godavari Central Division, Amalapuram, East Godavari District
7. Deputy Executive Engineer, Irrigation Sub Division, Amalapuram
8. Engineer in Chief (R & B), Administration, Vijayawada.
9. The Chief Engineer (R&B), Rural Roads, O/o. Engineer-in-Chief(RandB). Vijayawada.
10. Superintending Engineer (R & B), R & B Circle, Kakinada.
11. Executive Engineer (R & B), Rand B Division, Amalapuram.



12. . Deputy Executive Engineer (R&B), R&B Subdivision, Kothapeta.
13. Asst. Executive Engineer (R&B), R&B Section, P. Gannavaram.

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 measuring the works, issuing quality certificates and releasing an amount due to the petitioner including EMD and FSD after duly retaining the amount towards recovery as suggested by the 5th Respondent for the execution of works assigned to the petitioner Vide Agreement No. 135 DC/2016-17, dated 10-02-2017 and vide G.O.Rt.No.577 dated 24-09-2016 of T Rand B (R-III) department, respectively 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 for the execution of works assigned to the petitioner VVide Agreement No. 135 DC/2016-17, dated 10- 02-2017 and vide G.O.Rt.No.577, dated 24-09-2016 of T Rand B (R-III) department after retaining the recovery amount with an interest at 18percentage per annum.

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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 respondent authorities to release pending payments to the petitioner for the execution of works assigned to the petitioner Vide Agreement No.135 DC/2016-17, dated 10-02-2017 and vide G.O.Rt.No.577, dated 24-09-2016 of T R&B (R-III) department, respectively, Pending disposal of WP 24593 of 2025, 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 VENKAT SAILENDRA G Advocate for the Petitioner, GP FOR IRRI AND CAD Advocate for the Respondent Nos.1,4,5,6,7, GP for Roads and Buildings for

Respondent Nos.2,8 to 13, GP for Finance and Planning for Respondent No. 3 and the Court made the following:

ORDER

The above writ petition was filed to declare the action of respondent authorities in not measuring the works, issuing quality certificates and releasing the amount due to the petitioner including EMD and FSD, as illegal and arbitrary.

The writ petition was listed on 15.09.2025 and adjourned at the request of learned Government Pleader to file counter-affidavit. On 24.12.2025, when the matter was listed, learned Assistant Government Pleader placed instructions received from the Chief Engineer, Godavari Delta System, wherein, it was stated that a Vigilance case was filed against the works done by the petitioner and the Enquiry Authority Team has to conduct an inquiry and bill will be processed basing on the final report submitted by the Enquiry Authority Team. Recording the same, the writ petition was adjourned. Thereafter, the writ petition was listed on 30.01.2026 and adjourned at the request of learned Assistant Government Pleader to get the inquiry report, and further adjourned at the request of learned Assistant Government Pleader on three occasions.

Today, when the matter is listed, learned Assistant Government Pleader seeks time to get instructions.

List the matter finally on 29.07.2026.

This Court makes it clear that, if the proper instructions are not placed before this Court, by the next date of hearing, the learned respondent No.4 shall appear before this Court along with the entire records.

Sd/-U.SRIDEVI
DEPUTY REGISTRAR


SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Superintending Engineer, Irrigation Circle, Dowlaiswaram.

(By Speed Post) & (For appearance)

2. One CC to SRI. VENKAT SAILENDRA G Advocate [OPUC]

3. Two CCs to GP FOR IRRI AND CAD ,High Court Of Andhra Pradesh.

[OUT]

4. One spare copy.

TVSR

HIGH COURT

SRS,J

DATED: 22/07/2026

LIST THE MATTER FINALLY ON 29.07.2026.

ORDER

WP.No.24593 of 2025

DIRECTION

