

APHC010508362025



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



TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 27221 OF 2025

Between:

M/s. Creative Engineering Associates, Rep. by its Proprietor, Kandula Siva Praveen Kumar, S/o. K. Murali Krishna, Aged about 39 years, Occ: Civil Contractor, Ro.H:No.3141, Budampadu, Guntur, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development (MAUD) Department, Secretariat Buildings, at Velagapudi, Amaravati, Andhra Pradesh.
2. The Eluru Municipal Corporation, Rep. by its Commissioner, Eluru, Eluru District, Erstwhile West Godavari District.
3. The Executive Engineer, Municipal Corporation, Eluru, Eluru District, Erstwhile West Godavari District.
4. The Director, Works & Accounts Department, Anjaneya Towers, Ibrahimpatnam, Vijayawada, NTR District Erstwhile Krishna 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 a writ order or direction more particularly one in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or Order questioning the action of the respondents in not paying pending admitted bills for an amount of Rs.3,17,558/- + Rs.4,27,731/- = Rs.7,45,289/- for the works (1) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, from CMR Shopping mall To Goods Shed road Center lighting of Eluru Municipal Corporation Limits and (2) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, at various locations like Satrampadu and Sri Ram nagar Center lighting of Eluru Municipal Corporation Limits, in favour of the petitioner even though completed in the year 2023-24 the entire work within stipulated time is illegal and arbitrary and violative of articles 14, 16 and 21 of constitution of India and consequently direct the respondents to clear the pending admitted bills for an amount of Rs.3,17,558/- + Rs.4,27,731/- = Rs.7,45,289/- pertaining to the above works.

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 admitted bills for the tender works (1) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, from CMR Shopping mall To Goods Shed road Center lighting of Eluru Municipal Corporation Limits and (2) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, at various locations like Satrampadu and Sri Ram nagar Center lighting of Eluru Municipal Corporation Limits for an amount of Rs.3,17,558/- + Rs.4,27,731/- = Rs.7,45,289/- in favor of the petitioner pending disposal of Writ Petition.

Counsel for the Petitioner: SRI M.K. RAJ KUMAR

**Counsel for the Respondent No.1: GP MUNICIPAL ADMN AND URBAN
DEV AP**



**Counsel for the Respondent Nos.2 & 3: SRI A.S.C.BOSE, SC FOR
MUNICIPAL CORPORATION**

Counsel for the Respondent No.4: GP FOR FINANCE & PLANNING

The Court made the following order:



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

[3457]

TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 27221/2025

Between:

1. CREATIVE ENGINEERING ASSOCIATES, REP. BY ITS PROPRIETOR KANDULA SIVA PRAVEEN KUMAR, SO. K. MURALI KRISHNA, AGED ABOUT 39 YEARS, OCC CIVIL CONTRACTOR, RO.H.NO.3141, BUDAMPADU, GUNTUR, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (MAUD) DEPARTMENT SECRETARIAT BUILDINGS, AT VELAGAPUDI, AMARAVATI, ANDHRA PRADESH.
2. THE ELURU MUNICIPAL CORPORATION, HE ELURU MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, ELURU, ELURU DISTRICT, ERSTWHILE WEST GODAVARI DISTRICT.
3. THE EXECUTIVE ENGINEER, MUNICIPAL CORPORATION, ELURU, ELURU DISTRICT, ERSTWHILE WEST GODAVARI DISTRICT.
4. THE DIRECTOR, WORKS ACCOUNTS DEPARTMENT, ANJANEYA TOWERS, IBRAHIMPATNAM, VIJAYAWADA, NTR DISTRICT ERSTWHILE KRISHNA 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 a Writ of Mandamus or any other appropriate Writ, Direction or Order questioning the action of the respondents in not paying pending admitted bills for an amount of Rs.3,17,558 Rs.4,27,731 Rs.7,45,289 for the works (1) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, from CMR Shopping mall To Goods Shed road Center lighting of Eluru Municipal Corporation Limits and (2) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, at various locations like Satrampadu and Sri Ram nagar Center lighting of Eluru Municipal Corporation Limits, in favour of the petitioner even though completed in the year 2023-24 the entire work within stipulated time is illegal and arbitrary and violative of articles 14, 16 and 21 of constitution and consequently direct the respondents to clear the pending admitted bills for an amount of Rs.3,17,558 Rs.4,27,731 Rs.7,45,289 pertaining to the above works and pass

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 admitted bills for the tender works (1) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, from CMR Shopping mall To Goods Shed road Center lighting of Eluru Municipal Corporation Limits and (2) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, at various locations like Satrampadu and Sri Ram nagar Center lighting of Eluru Municipal Corporation Limits for an amount of Rs.3 17,558/- + Rs.4,27,731/- = Rs.7,45,289/- in favor of the petitioner. pending disposal of Writ Petition, and to pass

Counsel for the Petitioner:

1.M K RAJ KUMAR

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

2.GP FOR FINANCE PLANNING

The Court made the following:

ORDER:-

The learned counsel for the petitioner submits that the petitioner has awarded 2 works, i.e., (1) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, from CMR Shopping mall To Goods Shed road Center lighting of Eluru Municipal Corporation Limits and (2) Supply, delivery and fixing of LED strip rope lighting for existing center lighting poles, at various locations like Satrampadu and Sri Ram nagar Center lighting of Eluru Municipal Corporation Limits.

2. The learned counsel further submits that the petitioner duly executed the works and thereafter submitted final bills for an amount of Rs.7,45,289/-. It is submitted that the said final bills were duly endorsed by the competent authority. A statement detailing the works executed by the petitioner was prepared, and the progress of the works was recorded in the M-book. However, in spite of the completion of all procedural formalities, the payment towards the completed works has not been released till date.

3. Heard the submissions of the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration & Urban Development, the learned Standing Counsel for the Corporation and the learned Assistant Government Pleader for Finance and Planning.

4. During the course of hearing, the learned Standing Counsel appearing for the Corporation does not dispute the submissions made by the petitioner with respect to the completion of works undertaken.

5. Considering the submissions, the concerned respondents are hereby directed to verify and release the payments due payable to the petitioner as expeditiously as possible preferably within a period of four (04) weeks from the date of receipt of a copy of this order.
6. Accordingly, this writ petition is disposed off. There shall be no order as to costs.
7. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

Sd/- G HELA NAIDU
DEPUTY REGISTRAR

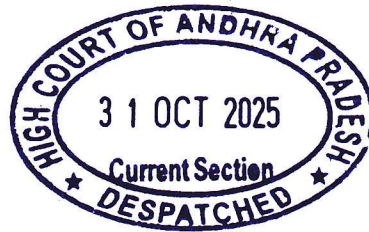
SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Municipal Administration and Urban Development (MAUD) Department, Secretariat Buildings, at Velagapudi, Amaravati, Andhra Pradesh.
2. The Commissioner, Eluru Municipal Corporation, Eluru, Eluru District, Erstwhile West Godavari District.
3. The Executive Engineer, Municipal Corporation, Eluru, Eluru District, Erstwhile West Godavari District.
4. The Director, Works & Accounts Department, Anjaneya Towers, Ibrahimpatnam, Vijayawada, NTR District Erstwhile Krishna District.
5. One CC to SRI. M K RAJ KUMAR, Advocate [OPUC]
6. One CC to SRI A.S.C. BOSE, STANDING COUNSEL FOR MUNICIPAL CORPORATION [OPUC]
7. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP, High Court of Andhra Pradesh [OUT]
8. Two CCs to GP FOR FINANCE & PLANNING High Court of Andhra Pradesh [OUT]
9. Two CD Copies

HIGH COURT
DATED:07/10/2025

ORDER
WP NO. 27221 OF 2025



DISPOSING OF THE W.P.
WITHOUT COSTS