



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

[3330]

MONDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No. 27369/2025

BETWEEN:

1. MALLIDI NAGA VENKATESWARA REDDY, S/o. VENKATA
SURYA SATYANRAYANA, AGED ABOUT 32 YEARS,
OCC: BUSINESS, R/o. D.N.1-312, VINAYAKA TEMPLE STREET
RAVULAPALEM, KONASEEMA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRI
SECRETARY R AND B DEPARTMENT, AT SECRETARIAT,
VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, A.P.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRI
SECRETARY FINANCE AND PLANNING DEPARTMENT, AT
SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT, A.P.
3. THE DISTRICT COLLECTOR, KONASEEMA DISTRICT AT
RAMACHANDRAPURAM
4. THE CHIEF ENGINEER, R AND B DEPARTMENT LABBIPET,
VIJAYAWADA, NTR DISTRICT
5. THE EXECUTIVE ENGINEER, R AND B DIVISION,
AMALAPURAM KONASEEMA DISTRICT

6.THE SUPERINTENDING ENGINEER, R AND B CIRCLE
,KAKINADA

7.PAY AND ACCOUNTS OFFICER, KONASEEMA DISTRICT AT
RAMACHANDRAPURAM

...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 an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents in paying an amount of Rs.20,70,800/- (rupees twenty lakhs seventy thousand eight hundred only) in respect of execution of work of Temporary restoration to Sompalli-Anthervedi Road from Km5/000 to 4/800 in DR B R Ambedkar Konaseema District to the petitioner as illegal, arbitrary, and violation of principles of natural justice and violation of Article 14, 19 (1) (g) of Constitution of India and consequently direct the respondents to pay the said amount of Rs 20,70,800/- (rupees twenty lakhs seventy thousand eight hundred only)with interest @ 18percent p.a. from 25.03.2025 till the date of payment in the interest of justice and pass such other order or orders.

Counsel for the Petitioner:

1.CH B R P SEKHAR

Counsel for the Respondent(S):

1.GP FOR ROADS BUILDINGS

2.GP FOR REVENUE

3.GP FOR FINANCE PLANNING

The Court made the following:

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

".....to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents in paying an amount of Rs.20,70,800/- (rupees twenty lakhs seventy thousand eight hundred only) in respect of execution of work of Temporary restoration to Sompalli-Anthervedi Road from Km5/000 to 4/800 in DR B R Ambedkar Konaseema District to the petitioner as illegal, arbitrary, and violation of principles of natural justice and violation of Article 14, 19(1)(g) of Constitution of India and consequently direct the respondents to pay the said amount of Rs.20,70,800/- (rupees twenty lakhs seventy thousand eight hundred only) with interest @ 18% p.a. from 25.03.2025 till the date of payment in the interest of justice and pass such other order or orders.....

2. The 5th respondent has filed written instructions dated 27.01.2026, it indicates that they are unable to pay due amount to the petitioner herein, as they are awaiting for funds clearance.

3. In the present case, the respondents have not disputed the payment due to the petitioner for the work executed and the respondents have manifested in their written instructions that they will pay the amount to the petitioner soon after receipt of the funds. Once the work executed by the petitioner to the respondents is admitted and the payment due to the petitioner is not disputed by the respondents,

there was hardly no need for this Court to refer the matter to any forum or for arbitration for passing an arbitral award assuming that any condition in the agreement to that extent. Hence, this Court directs the respondents to pay the admitted amount to the petitioner.

4. In ***The D.F.O., Sough Kheri And Ors. Vs. Ram Sanehi Singh*** reported in (1971) 3 SCC 864, the Hon'ble Apex Court held that when a State decides not to pay the dues with mala fide, with ulterior motives or arbitrarily or when the State avoids payment of the dues with mala fide, with ulterior motives, arbitrarily or when the State discriminates, while making payment dues, such a decision of the State not to pay or such an act of the State of not paying its dues cannot be said to be wholly beyond the reach of Article 226 of the Constitution of India, for asking the writ Court to do is to force the State to act in accordance with its constitutional obligation by adhering to the letter and spirit of Articles 14 and 21 of the Constitution of India.

5. In view of the above, the present Writ Petition is disposed of with the following directions:

- (a) The respondents are directed to clear the due amount to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

- (b) Sum due to the petitioner would mean, the sum arrived after statutory deductions. If there is any dispute regarding statutory recoveries, the petitioner is at liberty to communicate/interfere with the respondents.
- (c) With regard to interest, the petitioner is at liberty to approach appropriate forum.

There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 02.02.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHARA RAO

W.P.No. 27369 OF 2025

Date: 02-02-2026

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