



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

[3333]

**TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 27855/2025

Between:

1. GONUGUNTLA SREERAMULU, S/O. LATE G CHINTHALAPPA, AGED ABOUT 54 YEARS, R/O. D.NO. 4-72, KODEKANDIA VILLAGE, OBULAPURAM POST, BATHALAPALLI MANDAL, SRI SATYA SAI DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, IRRIGATION AND WATER RESOURCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI.

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

3. THE EXECUTIVE ENGINEER, I.B. DIVISION, DHARMAVARAM, SRI SATYA SAI 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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the recovery proposed by the Verification team Rs. 3,75,242/- under M.Book No. 1581, and Rs. 1,45,011/- under M.Book No. 1577, in

accordance with G.O.Rt.No.98 dt 07.03.2025 issued by the 1st respondent, and also the 7.5 percent Withheld amounts towards M.Book Nos. 1581, 1577 and 1482 to the petitioner, even after finalizing the bills as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India, and also opposed to the settled principles of law, and consequently direct the respondents to forthwith release the recovery proposed by the Verification team I.e., Rs. 3,75,242/- under M.Book No. 1581, and Rs. 1,45,011/- under M.Book No. 1577, in accordance with G.O.Rt.No.98 dt 07.03.2025 issued by the 1st respondent, and also the 7.5 percent Withheld amounts towards M.Book Nos. 1581, 1577, and 1482 to the petitioner, 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 respondent Nos 1 and 2 to release the recovery proposed by the Verification team I.e., Rs. 3,75,242/- under M.Book No. 1581, and Rs. 1,45,011/- under M.Book No. 1577, in accordance with G.O.Rt.No.98 dt: 07.03.2025 issued by the 1st respondent, and also the 7.5 % Withheld amounts towards M.Book Nos.1581, 1577 and 1482 to the petitioner, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1.RAVULA NAGARJUNA

Counsel for the Respondent(S):

1.GP FOR IRRI AND CAD

2.GP FOR FINANCE PLANNING

The Court made the following:

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the recovery proposed by the Verification team Rs.3,75,242/- under M.Book No.1581, and Rs.1,45,011/- under M.Book No.1577, in accordance with G.O.Rt.No.98 dt 07.03.2025 issued by the 1st respondent, and also the 7.5% Withheld amounts towards M.Book Nos. 1581, 1577 and 1482 to the petitioner, even after finalizing the bills as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India, and also opposed to the settled principles of law, and consequently direct the respondents to forthwith release the recovery proposed by the Verification team I.e., Rs.3,75,242/- under M.Book No.1581, and Rs.1,45,011/- under M.Book No.1577, in accordance with G.O.Rt.No.98 dt 07.03.2025 issued by the 1st respondent, and also the 7.5% Withheld amounts towards M.Book Nos.1581, 1577, and 1482 to the petitioner,....”

2. The petitioner had been awarded the contract for works as per the agreement by the respondents. The grievance of the petitioner is that, in spite of completion of the aforesaid works, the respondent authorities have not released amount in favour of the petitioner. Challenging which, the present writ petition is filed.

3. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Irrigation and learned Assistant Government Pleader for Finance & Planning representing the respondents.

4. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the aforesaid sum of money, no payment is being made. The petitioner contends that such non-payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

5. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

6. Learned Assistant Government Pleader for Irrigation has furnished a copy of instructions of the Executive Engineer, I.B. Division, Dharmavaram *vide* Letter No:File No.C.1/AB/No.551M, dt.08.12.2025, wherein it is stated that out of the agreement value of Rs.9,28,800/- the part payment bill of Rs.4,70,478/- is already paid on 06.06.2022 and the remaining amount payable to the petitioner.

7. In view of the above instructions since the amount payable to the petitioner is admitted to be withheld by the respondents, the Writ Petition is disposed of, directing respondents to pay the admitted amount to the petitioner

within a period of two (2) months from the date of receipt of a copy of this order. No costs.

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

JUSTICE V.SUJATHA

Dated: 09.12.2025
KGR