

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE FIRST DAY OF APRIL,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 29412 OF 2024



Between:

Boya Nagendra, S/o. B.Eranna, Aged about 51 years, Occ. Contractor, R/o. D.No.1-159, Nagaradona Village, Chippagiri Mandal, Kurnool District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep., by its Principal Secretary, Rural Water Supply and Sanitation Engineering Department, Secretariat Buildings, Velapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep., by its Principal Secretary Finance Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Chief Executive Officer, Zilla Paraja Parishad, Kurnool, Kurnool District
4. The Superintending Engineer, RWS and S Circle, Kurnool Kurnool District.
5. The Executive Engineer, RWS and S Section, Adoni, Kurnool District.
6. The Assistant Engineer, RWS and S Section, Halaharvi Mandal, Kurnool District.
7. The Deputy Executive Engineer, RWS and S Sub-Division Alur, Kurnool District.
8. N.Sreekanth Prasad, S/o. N.Radhakrishna Prasad Aged about 53 years, R/o. H.No.21/2-1-A, Bhavani Nilayam, Near SKD Colony, 6th Road, Adoni Town and Mandal, Kurnool 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 an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondent No.2 to 7 in releasing an amount of Rs.32,70,156/- (Rupees Thirty Two Lakhs Seventy Thousand one Hundred and Fifty Six only) in favour of the petitioner for the work executed by him towards providing drinking water to the Alur (Chinthakunta Head Works) and other habitations under O and M (Operation and Maintenance) of CPWS Scheme for the year, 2023-2024 and consequently action of respondents No. 2 to 7 in taking steps to release the above said payments to the respondent No.8, having stated that, he failed to execute the work entrusted in his favour and he is not entitled to claim any payments as arbitrary, illegal, contrary to the well established legal principles, apart from being violative of the fundamental rights guaranteed to him under Articles 14,19 and 21 of the Constitution of India and consequently direct the respondents No.2 to 7 to release an amount of Rs.32,70,156/- (Rupees Thirty Two Lakhs Seventy Thousand one Hundred and Fifty Six only) in favour of the petitioner for the work executed by him towards providing drinking water to the Alur (Chinthakunta Head Works) and other habitation under O and M (Operation and Maintenance) of CPWS Scheme for the year, 2023-2024 .

IA NO: 1 OF 2024

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 No. 2 to 7 not to pay the amount of Rs. Rs.32,70,156/- (Rupees Thirty Two Lakhs Seventy Thousand one Hundred and Fifty Six only) to the respondent No.8 for the work executed by the petitioner towards providing

drinking water to the Alur (Chinthakunta Head Works) and others habitation under O & M (Operation & Maintenance) of CPWS Scheme for the year, 2023-2024, Pending disposal of WP 29412 of 2024, 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 V R Reddy Kovvuri, Advocate for the Petitioner, Sri Panku Rajesh Kumar, Assistant GP for Panchayat Raj for the Respondent Nos.1, 4, 5, 6, 7, GP for Finance for the respondent No.2 and of Sri Mattegunta Sudhir, Standing Counsel for the respondent No.3, the Court made the following

ORDER:

“Heard Sri V.R. Reddy Kovvuri, learned Counsel for the Writ Petitioner and Sri Panku Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj.

2. Sri Panku Rajesh Kumar, learned Assistant Government Pleader, seeks time to obtain Written Instructions insofar as the payment to Respondent No.8 is concerned.

3. There shall be a direction to the Official Respondents not to make any payment to Respondent No. 8 until the next listing

4. List the matter on 08.04.2025 in the ‘Motion list’.”

SD/- A. VIJAYA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

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To,

1. The Principal Secretary, State of Andhra Pradesh, Rural Water Supply and Sanitation Engineering Department, Secretariat Buildings, Velgapudi, Amaravathi, Guntur District.

2. The Principal Secretary, State of Andhra Pradesh, Finance Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District. **(Addressee nos.1 & 2 by Special Messenger)**
3. The Chief Executive Officer, Zilla Paraja Parishad, Kurnool, Kurnool District
4. The Superintending Engineer, RWS and S Circle, Kurnool Kurnool District.
5. The Executive Engineer, RWS and S Section, Adoni, Kurnool District.
6. The Assistant Engineer, RWS and S Section, Halaharvi Mandal, Kurnool District.
7. The Deputy Executive Engineer, RWS and S Sub-Division Alur, Kurnool District.
8. N.Sreekanth Prasad, S/o. N.Radhakrishna Prasad Aged about 53 years, R/o. H.No.21/2-1-A, Bhavani Nilayam, Near SKD Colony, 6th Road, Adoni Town and Mandal, Kurnool District. (Addressee nos.3 to 8 by RPAD)
9. One CC to Sri V R Reddy Kovvuri, Advocate [OPUC]
10. One CC to Sri Mattegunta Sudhir, Standing Counsel [OPUC]
11. Two CCs to GP for Panchayat Raj and Rural Development, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP for Finance, High Court of Andhra Pradesh. [OUT]
13. **One spare copy**

PSK

HIGH COURT

GRKP,J

DATED:01/04/2025

List the matter on 08.04.2025 in the 'Motion list'

ORDER

WP.No.29412 of 2024

DIRECTION

