



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

[3504]

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 29687/2025

Between:

1. C V FNARAYANA REDDY, AGED 46 YEARS, S/O. C.P VEERA REDDY,
R/O. 87/956-4, PLOT NO -70 , TELECOM NAGAR, KUMOOL,
KUMOOL DISTRICT, ANDHRA PRADESH - 518002

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY , GOVERNMENT AP TOURISM AND CULTURAL
DEPARTMENT SECRETARIAT VELAGAPUDI, AMARAVATHI,
GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL CHIEF
SECRETARY, DEPARTMENT OF FINANCE SECRETARIAT,
VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
3. THE ANDHRA PRADESH TOURISM DEVELOPMENT CORPORATION
LIMITED, REP BY ITS VICE CHAIRMAN AND MANAGING DIRECTOR,
STALIN CORPORATE, 5TH FLOOR NEAR CGO COMPLEX
INDUSTRIAL STATES, AUTONAGAR, VIJAYAWADA -520007.
4. THE DISTRICT COLLECTOR AND CHAIRMAN, DISTRICT TOURISM
COUNSEL, KUMOOL, KUMOOL DISTRICT.
5. THE SUPERINTENDENT ENGINEER, A P TOURISM DEVELOPMENT
CORPORATION, VIJAYAWADA, NTR DISTRICT.
6. THE CHIEF EXECUTIVE OFFICER, AP CFMS OFFICE 6TH FLOOR C-
BLOCK, ANJANEYA TOWERS, IBRAHIMPATNA, 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 toPleased 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 withholding the payments of pending amount of Rs.80,70,680/- (Eighty Lakhs Seventy Thousand Six Hundred and Eighty Rupees only) for the year 2022-2023,even after finalizing the bills, payable to the petitioner in relation to the works Providing the Development of Valmiki Caves in Boyavandlapalle Village of Peapully Mandal in Kurnool Districf as bad, illegal, arbitrary, improper, unjust and against the Article 21 of Constitution of India.and Consequently direct the Respondents to forthwith release the payments of Rs.80,70,680/- (Eighty Lakhs Seventy Thousand Six Hundred and Eighty Rupees only) of above bill amount along with 12 percentage interest without any more delay 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 Pleased to direct the respondents to release and pay the amounts of Rs.80,70,680/- (Eighty Lakhs Seventy Thousand Six Hundred and Eighty Rupees only) release the payments of the bill amount along with 12 percentage interest, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1. THATHIREDDY ASHOK SRIVASTAVA

Counsel for the Respondent(S):

1. GP FOR TOURISM
2. SRINIVASULA REDDY VAJRALA SC FOR APTDC Ltd
3. GP FOR FINANCE PLANNING

The Court made the following:

HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**WRIT PETITION NO.29687/2025****ORDER:**

This Writ Petition under Article 226 of the Constitution of India is filed seeking the following main relief:

“declaring the action of the Respondents in withholding the payments of pending amount of Rs.80,70,680/- (Eighty Lakhs Seventy Thousand Six Hundred and Eighty Rupees only) for the year 2022-2023,even after finalizing the bills, payable to the petitioner in relation to the works Providing the Development of Valmiki Caves in Boyavandlapalle Village of Peapully Mandal in Kurnool District as bad, illegal, arbitrary, improper, unjust and against the Article 21 of Constitution of India.and Consequently direct the Respondents to forthwith release the payments of Rs.80,70,680/- (Eighty Lakhs Seventy Thousand Six Hundred and Eighty Rupees only) of above bill amount along with 12 percentage interest without any more delay and pass”

2. The sum and substance of the writ petition is that the petitioner challenged the inaction of the respondents in not releasing the amounts even after completion of the entire works entrusted to him.
3. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Finance & Planning, and learned Standing Counsel for the respondent Corporation.
4. Learned counsel for the petitioner, while reiterating the averments made in the writ affidavit, submits that in view of the non-release of the admitted amounts, the petitioner is facing multifarious problems,

physically and fiscally. Hence, he submits that the release of the amounts is just and essential.

5. On the other hand, learned Standing Counsel for the respondent Corporation, places a copy of the written instructions dated 08.01.2026 issued by the concerned authority of the Corporation and submits that the bills amount of Rs.79,69,403/- (Rupees Seventy Nine Lakhs Sixty Nine Thousand Four Hundred and Three only) is going to be uploaded within three weeks in the NIDHI Module as per the Government procedure. He submits that ten months' time may be granted for paying the admitted amounts to the petitioner.

6. Since it is not in dispute that the petitioner completed the works and has yet to receive payment, as evident from the written instructions dated 08.01.2026 of the concerned respondent Corporation authority, this Court finds the respondents' failure to pay is unjustified. However, taking into consideration the ground realities to settle the admitted amounts, the respondents are granted rational time to settle the dues.

7. The respondent Corporation, being the instrumentality of the 'State' within the meaning of Article 12 of the Constitution of India, is bound to release the amount for the undisputed works done by the petitioner, without any further delay. A mere financial incapacity or paucity of funds cannot be a valid defence for non-fulfilment of such

statutory obligations, more particularly, when the works executed by the petitioner are admitted by the respondent Corporation.

8. So far as the interest portion is concerned, the Hon'ble Division Bench in the case of ***Managing Director & Ors. Vs. Sree Balaji Constructions & Ors.*** (Writ Appeal No.60 of 2025) held that the award of interest on delayed payments was unsustainable in the absence of specific terms and conditions of the relevant agreement between the parties, but in the instant case, the learned counsel for the petitioner has not touched on the said point. However, the Hon'ble Division Bench in similar circumstances made it clear that the parties are at liberty to pursue their claims in respect of the interest portion before an appropriate forum in accordance with Law.

9. In the light of the above legal position, coupled with the fact that the liability for the undisputed works was admitted by the respondents, the writ petition is disposed of with a direction to the respondents to release the amount of Rs.79,69,403/- (Rupees Seventy Nine Lakhs Sixty Nine Thousand Four Hundred and Three only) payable to the petitioner, within a period of ten (10) months, from the date of receipt of copy of this order. It is needless to say that the petitioner is at liberty to approach the appropriate forum with regard to interest, if so advised.

There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

Date: 29.04.2026
GVK

MAHESWARA RAO KUNCHEAM, J

104

THE HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION No.29687 of 2025

Date: 29.04.2026

GVK