



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

[3331]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 30331/2025

Between:

1.KARRI SURYA NARAYANA REDDY, S/O RAMA KRISHNA REDDY,
AGED ABOUT 55 YEARS, D.NO.3-92/2, KOMARAJULANKA
VILLAGE, RAVULAPALEM MANDAL, DR.BR AMBEDKAR
KONASEEMA DISTRICT.

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT
BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHAYAT RAJ DEPARTMENT, SECRETARIAT
BUILDINGS,VELAGAPUDI, GUNTUR DISTRICT

3.THE CHIEF ENGINEER, RURAL WATER SUPPLY AND SANITATION
DEPARTMENT(RWS AND S), GOLLAPUDI, VIJAYAWADA, KRISHNA
DISTRICT.

4.THE DISTRICT COLLECTOR, AMALAPURAM, DR.BR AMBEDKAR
KONASEEMA DISTRICT.

5.THE SUPERINTENDENT OF ENGINEER, RURAL WATER SUPPLY
AND SANITATION DEPARTMENT(RWS AND S) KAKINADA,
KAKINADA DISTRICT.

6.THE EXECUTIVE ENGINEER, RURAL WATER SUPPLY AND
SANITATION(RWS AND S), AMALAPURAM, DR.BR AMBEDKAR

KONASEEMA 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 or order or a direction more particularly one in the nature of writ of MANDAMUS declaring the action of the respondents, in non-payment of amount due to me even after finalizing the bills, payable to them in relation to the works executed by them under GGMP funds CC Drain From Sri Aatkuri Siva Sankar(H) to Sri Ramalayam in Canal road in Srinivasanahar of komarajulanka village, Ravulapalem Madal under GGMP funds Programmed RWS AND S Division, Amalapuram of Dr.BR Ambedkar Konaseema District, partment of Dr.BR Ambedkar Koonaseema District. as illegal, arbitrary, unjust. unreasonable and unconstitutional and consequently direct the respondents to consider the payment of amount due to the petitioner in respect of execution of works forthwith and to pass

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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 CC Drain From Sri Aatkuri Siva Sankar(H) to Sri Ramalayam in Canal road in Srinivasanahar of komarajulanka village, Ravulapalem Madal under GGMP funds Programmed RWS&S Division, Amalapuram of Dr.BR Ambedkar Konaseema District, partment of Dr.BR Ambedkar Koonaseema District. immediately, pending disposal of the main writ petition and pass

Counsel for the Petitioner:

1. SRIDHAR TUMMALAPUDI

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. GP FOR REVENUE
3. GP FOR IRRI AND CAD
4. GP FOR FINANCE PLANNING

The Court made the following order:

Heard Sri Sridhar Tummalapudi, learned counsel for the petitioner, Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development, Finance and Planning, appeared for the respondents.

2. The above writ petition was filed to declare the action of the respondents in not releasing the amount of Rs.2,90,123/-, payable to the petitioner in relation to the works i.e., Construction of CC drain from Sri Aatkuri Siva Sankar House to Sri Ramalayam in Canal road in Komarajulanka Village of Ravulapalem Mandal, *vide* Agreement No.40/2023-24 dated 14.12.2023. The Quality Control team inspected on 29.03.2024 and submitted a report on 29.03.2024. Despite the completion of the work, the amount was not released to the petitioner.

3. Today, when the matter is taken up for consideration, Sri P.Rajesh Kumar, learned Assistant Government Pleader, submitted instructions of the Executive Engineer, RWS & S Division, Amalapuram -6th respondent dated 09.02.2026.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned work and the net amount payable to the petitioner after statutory deductions is Rs.2,59,159/-. The written instructions are made as part of the record.

5. Learned counsel for the petitioner endorses the same.

6. Thus, as seen from the instructions there is no dispute regarding the execution of work and the petitioner's entitlement for Rs.2,59,159/-. Since the

amount payable is admitted and undisputed, the writ petition is maintainable.

In ***M/s Utkal Highways Engineers and Contractors v. Chief General Manager & Ors***¹, it was held at Para No.8 as under:

“Be that as it may, the High court has not dealt with the merits of the writ petition. Moreover, it is not an inviolable rule that no money claim can be adjudicated upon in exercise of writ jurisdiction. Non-payment of admitted dues, inter alia, may be considered an arbitrary action on the part of respondents and for claiming the same, a writ petition may lie. Further, throwing a writ petition on ground of availability of alternative remedy after 10 years, particularly, when parties have exchanged their affidavits, is not the correct course unless there are disputed questions of fact which by their very nature cannot be adjudicated upon without recording formal evidence.”

7. Given the instructions furnished by the 5th respondent, the Writ Petition is disposed of directing the respondents to release an amount of Rs.2,59,159/- (Rupees Two Lakhs Fifty Nine Thousand One Hundred and Fifty Nine only) payable to the petitioner regarding execution of the aforementioned work, within two (02) months from the date of receipt of the copy of this order. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

Date: 11.02.2026
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¹ 2025 SCC online SC 1400

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