



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

[3331]

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 31421/2024

Between:

1. BELLALA UTTAM REDDY, S/O B. SUBBIREDDY, AGED 53 YEARS,
OCC. CONTRACTOR, R/O CHEEMALACHERUVUPALLI VILLAGE,
N.P. KUNTA MANDAL, SRI SATYA SAI DISTRICT (ERSTWHILE
ANANTAPURAM DIST.).

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY,
PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT.
2. THE STATE OF ANDHRA PRADESH C, REP. BY ITS PRINCIPAL
SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS
VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
3. THE DISTRICT COLLECTOR, SRI SATYA SAI DISTRICT,
PUTTAPARTHY.
4. THE EXECUTIVE ENGINEER, PRI DIVISION, PENUKONDA.
5. THE PAY AND ACCOUNTS OFFICER, ANANTAPURAMU DISTRICT,
ANANTAPURAMU.

...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 a writ order or direction more particularly one in the nature of writ of MANDAMUS declaring the action of the respondents in not releasing the amount of Rs.4,15,037/- (Four Lakhs Fifteen Thousand Thirty- Seven Rupees) to the petitioner even after the timely execution of the work Construction of approach road to Jaganna Layout at N.P. Kunta habitation, N.P. Kunta Mandal sanctioned vide Progs.No.65/KDR Const/GGMP-HIW/2022-23 Dated. 15.11.2023 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 pay the total net amount of Rs.4,15,037/- (Four Lakhs Fifteen Thousand Thirty-Seven Rupees) to the petitioner even after the timely execution of the work Construction of approach road to Jaganna Layout at N.P. Kunta habitation, N.P. Kunta Mandal along with 12 percent interest per annum and 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 respondents to pay the total net amount of Rs.4,15,037/- (Four Lakhs Fifteen Thousand Thirty-Seven Rupees) to the petitioner even after the timely execution of the work Construction of approach road to Jaganna Layout at N.P. Kunta habitation, N.P. Kunta Mandal sanctioned vide Proceedings Progs.No.65/KDR Const/GGMP-HIW/2022-23 Dated. 15.11.2023 to the petitioner and pass

Counsel for the Petitioner:

- 1.SAI MANOJ REDDY L

Counsel for the Respondent(S):

- 1.GP FOR PANCHAYAT RAJ RURAL DEV
- 2.GP FOR FINANCE PLANNING

The Court made the following order:

Heard Sri L.Sai Manoj Reddy, learned counsel for the petitioner and Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development, Finance and Planning, for the respondents.

2. The above writ petition was filed to declare the action of the respondents in withholding an amount of Rs.4,15,037/-, payable to the

petitioner in relation to the work i.e., Construction of approach road to Jaganna Layout at N.P. Kunta habitation, N.P. Kunta Mandal, vide Progs.No.65/KDR Const/GGMP-HIW/2022-23 dated 15.11.2023, as illegal and arbitrary.

3. Today, when the matter is taken up for consideration, learned Assistant Government Pleader for Panchayat Raj, submitted the written instructions of the Executive Engineer, PRI Division, Penukonda – 4th respondent dated 02.05.2026.

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.4,15,037/-. The written instructions are made as part of the record.

5. Thus, as seen from the instructions there is no dispute regarding the execution of work and the petitioner's entitlement for Rs.4,15,037/-. 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”.

6. Given the instructions furnished by the Executive Engineer, PRI Division, Penukonda – 4th respondent dated 02.05.2026, the Writ Petition is

¹ 2025 SCC online SC 1400

disposed of directing the respondents to release an amount of Rs.4,15,037/- (Rupees Four Lakhs Fifteen Thousand and Thirty Seven 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: 06.05.2026
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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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Date: 06.05.2026
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