



**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: 32684/2025

Between:

1.SRI RAMA CONSTRUCTION, PROP VENKATAGOPI
PINAPATRUNI S/O RAJA RAO AGED ABOUT 45 YEARS,
R/O H NO 1-343/2, PADABODEPALLE VILLAGE
PARVATHIPURAM MANDAL, PARVATHIPURAM
MANYAM DISTRICT.

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRI SECRETARY
IRRIGATION AND WATER RESOURCES (CAD)
DEPARTMENT AT SECRETARIAT, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT, A.P.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRI
SECRETARY FINANCE AND PLANNING DEPARTMENT,
AT SECRETARIAT, VELAGAPUDI, AMARAVATHI,
GUNTUR DISTRICT, A.P.

3.THE DISTRICT COLLECTOR, KONASEEMA DISTRICT
AT RAMACHANDRAPURAM

4.THE CHIEF ENGINEER, IRRIGATION CIRCLE
DRAINAGE DIVISION, DAWALESWARAM ,

RAJAHMUNDRY, EAST GODAVARI DISTRICT.

5.THE SUPERINTENDING ENGINEER, IRRIGATION
CIRCLE. WATER RESOURCES DEPT DRAINAGE
DIVISION,DOWALESWARAM, RAJAHMUNDRY, EAST
GODAVARI DISTRICT.

6.THE EXECUTIVE ENGINEER, G E DIVISION,
RAMACHANDRAPURAM , KONASEEMA DISTRICT

7.PAY AND ACCOUNTS OFFICER, KONASEEMA DISTRICT
AT RAMACHANDRAPURAM

...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 inaction on the part of the respondents in paying total amount of Rs 8,00,990/- (Rupees eight lakhs nine hundred and ninety only) i.e, an amount of Rs 4,79,074 (Rupees four lakhs seventy nine thousand seventy four) in respect of agreement No. 42D/2023-24 and an amount of Rs 3,21,916/- (Rupees three lakhs twenty one thousand nine hundred and sixteen) in respect of agreement No. 41 D/2023-24 to the petitioner as illegal, arbitrary, and violation of principles of natural justice and violation of Article 14, 19 (1) (g) of Constitution of India and consequently direct the respondents to pay the said total amount of Rs 8,00,990/- (Rupees eight lakhs nine hundred and ninety only) with interest @ 6 percent p.a. till the date of payment in the interest of justice 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 pleased to direct the respondents to pay an amount of Rs. 8,00,990/- (Rupees eight

lakhs nine hundred and ninety only) in respect of agreements No: 42D/2023-24 and No; 41 D/2023-24 to the petitioner in the interest of Justice pending disposal of the writ petition and pass

Counsel for the Petitioner:

- 1.CH B R P SEKHAR

Counsel for the Respondent(S):

- 1.GP FOR IRRI AND CAD
- 2.GP FOR FINANCE PLANNING

The Court made the following:

ORDER:-

This writ petition is 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 inaction on the part of the respondents in paying total amount of Rs.8,00,990/- (Rupees eight lakhs nine hundred and ninety only) i.e, an amount of Rs 4,79,074/-(Rupees four lakhs seventy nine thousand seventy four) in respect of agreement No. 42D/2023-24 and an amount of Rs.3,21,916/- (Rupees three lakhs twenty one thousand nine hundred and sixteen) in respect of agreement No.41D/2023-24 to the petitioner as illegal, arbitrary, and violation of principles of natural justice and violation of Article 14, 19 (1) (g) of Constitution of India and consequently direct the respondents to pay the said total amount of Rs.8,00,990/- (Rupees eight lakhs nine hundred and ninety only) with interest @ 6 % p.a. till the date of payment in the interest of justice,...”

2. The petitioner had been awarded the contract of work(s) by the Irrigation Department. After execution of the said contract, the respondents also issued quality control certificates to a tune of Rs.3,84,677/- and Rs.2,53,289/- respectively. As the payment of the said amounts has not been made by the respondents, the petitioner has approached this Court by way of this writ petition.

3. 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.

4. 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.

5. On the other hand, learned Government Pleader on oral instructions stated that since the budget was not released by the Government, the bills were not paid to the petitioner. Soon after release of the budget by the Government, the bills will be paid to the petitioner, however, admitted the amount payable to the petitioner as per the quality control certificates filed by the petitioner to a tune of Rs.3,84,677/- and Rs.2,53,289/- respectively

6. In view of the facts and circumstances submitted in the affidavit, and the directions of this Court in various cases and after hearing the submissions of learned counsel for the

petitioner, this Writ Petition is disposed of with a direction to the respondents to release the amount to the petitioner in accordance with the quality control certificates dated 07.10.2024 issued by the respondents within a period of two (02) months from the date of receipt of a copy of this order. No costs.

7. As far as interest component is concerned, if there is any subsisting clause in the agreement/work order envisaging payment of interest upon any amount which is due and payable, the same is binding upon both the parties.

8. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date :09.12.2025
LSP

JUSTICE V.SUJATHA