



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

[3457]

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 33589/2025

Between:

1. CHINTALAPATI VISWA VENKATA SURYA SUBBARAJU, S/O
GANDHI RAJU, AGED 66 YEARS, OCC- CONTRACTOR, R/O 2-12-1,
SIVARAO PETA, NEAR CURRENT OFFICE, BHIMAVARAM,
W.G.DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECREALARY,
MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT
DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI,
GUNTUR DISTRICT.
2. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, FINANCE
AND PLANING DEPARTMENT, SECRETARIAT, VELAGAPUDI,
AMARAVATI, GUNTUR DISTRICT.
3. THE DISTRICT COLLECTOR, WEST GODAVARI DISTRICT,
BHIMAVARAM, W.G.DISTRICT.
4. THE PAY AND ACCOUNTS OFFICER, WORK ACCOUNTS, WEST
GODAVARI DISTRICT, BHIMAVARAM, W.G.DISTRICT.
5. THE BHIMAVARAM MUNICIPALITY, REP BY ITS COMMISSIONER,
BHIMAVARAM MUNICIPAL OFFICE, BHIMAVARAM, W.G.DISTRICT.
6. THE MUNICIPAL ENGINEER, BHIMAVARAM MUNICIPALITY,
BHIMAVARAM, W.G.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 a Writ, Order, or Direction more particularly one in the nature of WRIT OF MANDAMUS or any other appropriate writ or direction declaring the action of the respondents in not releasing the pending due payments of amount Rs. 1,03,86,541.63/- even after finalizing the bills, payable to the petitioner in relation to the works viz. 1) Providing CC Road from Aditya College to D.No.26-10-9(A) Main Agreement No.215/2022/EI dt.15-11-2022 28,06,021.96/-. 2) Repairs and Maintenance of Anna Canteen Building - Main Agreement No.86/2024-25/E1 dt.04-09-2024 5,54,785.81/-. 3) Providing CC Road, CC Drain and RCC Slab Culvert from New Ramalayam to Vinayaka Temple- Main Agreement NO.245/2022-23/E1 dt.27-01-2023 - 35,83,195.32/- . 4) Providing CC Road and CC Drain in Komarada Road - Main Agreement No.216/2022-23/EI dt.12-12-2022 - 34.42.538.54/-. for Bhimavaram Municipality, under General Funds, as illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and consequently to direct the respondent authorities to release the pending amounts of Rs. 1,03,86,541.63 (One crore three lakh eighty-six thousand five hundred forty-one and sixty-three paise.) with interest for the pending bills 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 respondents to release the payment pending due to the petitioner Rs. 1,03,86,541.63/- with interest pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1.JAMI MADHAVI

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

2.GP FOR FINANCE PLANNING

The Court made the following:

Order:

Learned counsel for the petitioner submits that the petitioner was awarded the 4 works i.e., 1) Providing CC Road from Aditya College to D.No. 26-10-9(A) in 31st Ward, vide Agreement No.215/2022/E1 dated 15-11-2022, 2) Repairs and Maintenance of Anna Canteen Building at Adda Vanthena Area, JP Road, 35th Ward, vide Agreement No.86/2024-25/E1 dated 04-09-2024, 3) Providing CC Road, CC Drain and RCC Slab Culvert from New Ramalayam to Vinayaka Temple in 31st Ward, vide Agreement No.245/2022-23/E1 dated 27-01-2023 and 4) Providing CC Road and CC Drain in Komarada Road from Vinayaka Temple to 2nd Cross Road in 31st Ward, vide Agreement No.216/2022-23/E1 dated 12-12-2022 entrusted by the respondents and submitted final bills. A Statement detailing the works executed by the petitioner was prepared, and the progress of the works was recorded in the M-Book. The Quality Control report was also filed by the petitioner. It is submitted that, in all, an amount of Rs.1,03,86,541.63/- is due and payable by the respondents to the petitioner. However, in spite of the completion of all procedural formalities, the payment towards the completed works has not been released till date.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Municipal Administration and Urban Development; the learned Assistant Government Pleader for Finance and Planning, and the learned Standing Counsel for the Municipality.

3. During the course of hearing, the learned Standing Counsel appearing for the 5th respondent upon written instructions submits that the bills were also uploaded in the NIDHI Portal and does not dispute the submissions made by the petitioner with respect to the completion of works undertaken and that the non-payment of bills is due to paucity of funds.

4. Considering the submissions, the concerned respondents are hereby directed to verify and release the payments due payable to the petitioner as expeditiously as possible preferably within a period of ten (10) weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of. No costs.

6. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date : 03.12.2025
PNS