



**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: 33602/2025

Between:

1.KANURI VENKATA RAMANA, S/O LATE., DHARMA RAO, AGED ABOUT 65 YEARS OCC CONTRACTOR,R/O D.NO. 14-14-8, MISSION HOSPITAL ROAD, BHIMAVARAM, WEST GODAVARI DISTRICT - 534 202.

...PETITIONER

AND

- 1.THE STATE OF AP, REP BY ITS PRINCIPAL SECREATARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE STATE OF AP, REP BY ITS PRINCIPAL SECREATARY, FINANCE AND PLANING DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, 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 a WRIT OF MANDAMUS or any other appropriate writ/order/direction declaring the action/inaction of the respondents in not releasing the pending due payments totaling Rs.47,56,120.15/- (Rupees Forty-Seven Lakhs Fifty-Six Thousand One Hundred Twenty and Raise Fifteen only) even after finalizing the bills and posting them in CFMS, payable to the petitioner in relation to the works viz., i) Providing CC Road to Road No.02 and Road No.5 and Construction of RCC Culverts at Road 2.5 Junctions in Bank Colony in 26th Ward - Main Agreement No.259/2023-24/E1 dt.25-02-2024 - RS. 20,20,779.00/- ii) Construction of CC Road and CC Drain from D.No. 13-80-56 (Gangumolu Venkata Suryanarayana House) to D.No. 13-28-55 (Jadda Ratnakumari House) and from D.No. 13-18-127/5 (Nadella Ramak) - Main Agreement No. 168/2023-24/EI dt.01-11-2023 - RS. 27,35,341.15/- as illegal, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India consequently direct the respondents to release the entire pending amount of Rs.47,56,120.15/- together with interest @ 12 PERCENT per annum from the respective dates of posting of the bills in CFMS till the date of actual payment, within SIX WEEKS 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 entire pending amount of Rs.47,56,120.15/- together with interest @12% per annum from the respective dates of posting of the bills in CFMS till the date of actual payment, within SIX WEEKS pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1.JAMI MADHAVI

Counsel for the Respondent(S):

1.GP FOR MUNICIPAL ADMN URBAN DEV

2.GP FOR FINANCE PLANNING

The Court made the following:

Order:

Learned counsel for the petitioner submits that the petitioner was awarded the 2 works i.e., i) Providing CC Road to Road No.02 and Road No.5 and Construction of RCC Culverts at Road 2.5 Junctions in Bank Colony in 26th Ward, Bhimavaram Municipality, vide Agreement No.259/2023-24/E1 dt.26-02-2024, Supplementary Agreement No. 34/2024-25/E1, dated 15.06.2024 and ii) Construction of CC Road and CC Drain from D.No. 13-80-56 (Gangumolu Venkata Suryanarayana House) to D.No. 13-28-55 (Jadda Ratnakumari House) and from D.No.13-18-127/5 (Nadella Ramak) in Bhimavaram Municipality, vide Agreement No. 168/2023-24/E1 dt.01-11-2023, Supplementary Agreement No. 251/2024-25/E1, dated 29.03.2024 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.47,56,120.15/- 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 eight (08) 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