



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

[3331]

**TUESDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 33750/2025

Between:

1.M/S BNR CONSTRUCTIONS,, REP BY IT'S B NARAYANA REDDY
S/O B YERRAMA REDDY, D.NO. 20-2-628/D/48, MARUTHI NAGAR,
TIRUPATI, TIRUPATI DISTRICT. ANDHRA PRADESH

...PETITIONER

AND

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

2.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY RWS AND S (RURAL WATER SUPPLY AND
SANITATION DEPARTMENT) SECRETARIAT BUILDINGS,
VELAGAPUDI, GUNTUR DISTRICT, AMARAVATHI,

3.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY (FINANCE DEPARTMENT SECRETARIAT BUILDINGS,
VELAGAPUDI, GUNTUR DISTRICT, AMARAVATHI,

4.THE ENGINEER IN CHIEF RWS AND RURAL WATER SUPPLY AND
SANITATION DEPARTMENT, VIJAYAWADA NTR DISTRICT.

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

6.THE EXECUTIVE ENGINEER, RWS AND S, (RURAL WATER
SUPPLY AND SANITATION DEPARTMENT), CHITTOR CENTRAL

DIVISON, CHITTOR DISRTICT.

7.THE CHAIRMAN, COMPREHENSIVE FINANCIAL MANAGEMENT SYSTEM (CFMS), STATE OF ANDHRA PRADESH, IBRAHIMPATANAM VIJAYAWADA.

8.THE DISTRICT COLLECTOR PANCHAYAT RAJ WING, CHITTOR, CHITTOR DISTRICT ANDHRA PRADESH.

...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 even after finalizing the bills, payable to the petitioner in relation to the execution of works i.e e the Government of Andhra Pradesh Rural Water Supply and Sanitation Department Agt No. 37 /2023, Dt 27/11/2023 vide M Book NO.9671B for the amounts of Rs. of Rsl 9,60,000 /- (Nineteen Lakh Sixty Thousand Rupees Only) as illegal, arbitrary, violation of Principles of Natural Justice, Violation of Articles 14. 21 and 300-A of the Constitution of India and consequently direct the Official Respondents to pay an amount due to the petitioner in respect of execution of afore mentioned works forthwith

IA NO: 1 OF 2025

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 an amount due to the petitioner in respect of execution of afore mentioned works forthwith pending disposal of the above writ petition

Counsel for the Petitioner:

1.RAYALCHERUVU ABISHEK REDDY

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR IRRI AND CAD

3.GP FOR FINANCE PLANNING

The Court made the following:**::ORDER ::**

Heard Sri R. Abishek Reddy, learned counsel for the petitioner; Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development & Finance and Planning Department, for respondents 1, 3 and 7; learned Assistant Government Pleader for Irrigation, for respondents 2, 4 to 6 and learned Assistant Government Pleader for Revenue, for respondent No.8.

2. The above writ petition was filed to declare the action of the respondents in not releasing the bill amount of Rs.19,60,000/- payable to the petitioner in relation to the work executed by the petitioner i.e. 'Augmentation of existing water supply scheme and providing FHTCs to Penumuru, H/o Penumuru Gram Panchayat, Penumuru Mandal, 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 respondent No.6.

4. A perusal of the said instructions would disclose that the petitioner has executed the aforementioned work for a value of Rs.16,24,121/- and the net amount payable to the petitioner after statutory deductions is Rs.15,21,566/-, out of which an amount of Rs.1,92,323/- was paid. The balance amount payable to the petitioner is Rs.13,29,243/-. 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 works and the petitioner's entitlement for Rs.13,29,243/-. 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 respondent No.3, the Writ Petition is disposed of directing the respondents to release an amount of Rs.13,29,243/- (Rupees Thirteen Lakhs Twenty Nine Thousand Two Hundred and Forty Three only) payable to the petitioner regarding execution of the aforementioned work, within three (03) 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: 24.02.2026
IKN

¹ 2025 SCC online SC 1400

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 33750 of 2025

Date: 24.02.2026
IKN