



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

[3333]

**TUESDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 35838/2025

Between:

1. BORRA NAGESWARA RAO, S /O B.SUBBA RAO. AGE 48 YEARS, OCC CONTRACTOR, RIO. D.NO. 1/12, BALAJI NAGAR, GUDLAVALLERU, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, WATER RESOURCE DEPARTMENT, SECRETARIAT BUILDINGS, AT VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT
3. THE EXECUTIVE ENGINEER, WATER RESOURCES DEPARTMENT, KRISHNA EASTERN DIVISION, VIJAYAWADA IRRIGATION SUB DIVISION, COWTHARAM, GUDLAVALLERU SECTION VIJAYAWADA, KRISHNA DISTRICT.
4. THE DIRECTOR, PAY AND ACCOUNTS, FINANCE

DEPARTMENT, ANJANEYA TOWERS,
IBRAHIMPATNAM, VIJAYAWADA, KRISHNA DISTRICT.

5.PAY AND ACCOUNT OFFICER PAO, WORKS AND
ACCOUNTS,VIJAYAWADA, KRISHNA 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, Direction or Order questioning the action of the respondents in not paying admitted bills an amount of Rs.5,49,555/- to the petitioner towards the work O and M such as Annual weed free maintenance on Kondiparru channel, penjendra main channel, Ravuladoddicodu channel, Palacodu channel, Chitram channel, PSS channel and its branches of Gudlavalleru Section for the year 2023-24 under the agreement 15/2023-24, dated 17-06-2023 even after finalising the Bill, as illegal and arbitrary and violative of articles 14, 16 and 21 of constitution of India and consequentially direct the respondents to pay above said bills to petitioner forthwith and pass

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 the admitted bills for an amount of Rs.5,49,555/- to the petitioner towards the work" O&M such as Annual weed free maintenance on Kondiparru channel, penjendra main channel, Ravuladoddicodu channel, Palacodu channel, Chitram channel, PSS channel and its brnaches of Gudlavalleru Section for the year 2023-24" under forthwith, pending disposal of Writ Petition, and to pass

Counsel for the Petitioner:

1.GOUTHAMI SURAPAREDDY

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 a writ, order or direction more particularly one in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or Order questioning the action of the respondents in not paying admitted bills an amount of Rs.5,49,555/- to the petitioner towards the work O and M such as Annual weed free maintenance on Kondiparru channel, penjendra main channel, Ravuladoddicodu channel, Palacodu channel, Chitram channel, PSS channel and its branches of Gudlalleru Section for the year 2023-24 under the agreement 15/2023-24, dated 17-06-2023 even after finalising the Bill, as illegal and arbitrary and violative of articles 14, 16 and 21 of constitution of India and consequentially direct the respondents to pay above said bills to petitioner forthwith and pass.”

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 certificate to a tune of Rs.5,49,555/- As the payment of the said amount 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 placed 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 certificate filed by the petitioner to a tune of Rs.5,49,555/-

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 certificate dated 22.08.2025 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 :06.01.2026
LSP

JUSTICE V.SUJATHA