



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

[3457]

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

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 36372/2025

Between:

1.M/S SRI KRISHNA CHEMICALS ENTERPRISES, SHOP. NO.59, BHAVA NARAYANA STREET, PSM COMPLEX, VIJAYAWADA-520001, KRISHNA DISTRICT. REP. BY ITS SOLE PROPRIETOR, YENDURU VENKATA SATYANARAYANA, S/O YENDURU VENKATESWARLU, AGED ABOUT 67 YEARS, R/O 1-4/7-24/4, BUDHAVARI STREET. NEAR FOUR PILLARS, VIDHYADHARAPURAM, VIJAYAWADA, NTR DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION DEPARTMENT, A.P SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.

2.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING A.P SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.

3.THE ANDHRA PRADESH COMPREHENSIVE FINANCIAL MANAGEMENT SYSTEM CFMS, 6TH FLOOR, C BLOCK, ANJANEYA TOWERS, IBRAHIMPATNAM, KRISHNA DISTRICT, REP. BY ITS CHAIRMAN.

4.THE COMMISSIONER AND DIRECTOR, OF MUNICIPAL ADMINISTRATION, ANDHRA PRADESH AT TADEPALLI, GUNTUR

DISTRICT.

5.THE DIRECTORATE OF TREASURIES AND ACCOUNTS, 3RD FLOOR, C BLOCK, ANJANEYA TOWERS, IBRAHIMPATNAM, KRISHNA DISTRICT. REP. BY ITS DIRECTOR OF TREASURIES AND ACCOUNTS.

6.PAY AND ACCOUNTS OFFICER, TREASURIES AND ACCOUNTS, GUNTUR.

7.THE DISTRICT TREASURY OFFICER, GUNTUR DISTRICT.

8.THE MANGALAGIRI TADEPALLI MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, MANGALAGIRI, GUNTUR 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 or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the admitted final bill due amount of Rs.52,62,132/- (Fifty two lakhs sixty two thousand one hundred and thirty two) payable to petitioner for work executed for 8th respondent namely 'MTMC- Supply and Delivery of Erection Commissioning of pressure sand filter at Kothurru pump house in 17th ward in Tadepalli urban of Mangalagiri Tadepalli Municipal Corporation under Municipal General Funds' under agreement Bearing No 271/2023-24 dated 24-08-2023 ,despite finalizing the bill, as illegal, arbitrary, unconstitutional and consequently direct the respondents herein to immediately pay the final bill due amount of Rs.52,62,132/- (Fifty two lakhs sixty two thousand one hundred and thirty two) payable to petitioner in relation to the said work executed for 8th respondent under the said agreement with an interest @ 12 percent per annum 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 to direct the respondents herein to release the admitted final bill due amount of Rs.52,62,132/- (Fifty two lakhs sixty two thousand one hundred and thirty two) payable to petitioner for work executed for 8th respondent namely "MTMC- Supply and Delivery of Erection Commissioning of pressure sand filter at Kothurru pump house in 17th ward in Tadepalli urban of Mangalagiri

Tadepalli Municipal Corporation under Municipal General Funds” within a stipulated time frame and pass

Counsel for the Petitioner:

- 1.SASANKA BHUVANAGIRI

Counsel for the Respondent(S):

- 1.A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)
- 2.GP MUNICIPAL ADMN AND URBAN DEV AP
- 3.GP FOR FINANCE PLANNING

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N**WRIT PETITION NO: 36372/2025****ORDER:**

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

2. Learned counsel appearing for the petitioner submits that the writ petition is filed by the contractor, who executed various works within the limits of the Mangalagiri-Tadepalli Municipal Corporation. The petitioner has completed the works to the satisfaction of the Mangalagiri-Tadepalli Municipal Corporation and the final bills were also approved by the competent authority. However, the bills were not released. The petitioner executed the works during the year 2023–24, and also executed some works in the year 2024. It is submitted that the competent authority has approved the bills; however, there has been no payment forthcoming from the Corporation. Aggrieved by the non-payment of the bills by the Corporation, the petitioner has approached this Court by way of the above writ petition.

3. Learned Standing Counsel appearing for Corporation submits that on 09.09.2024, the Vigilance Enquiry was initiated against the works executed by the petitioner and the Vigilance Enquiry is being conducted on the works which are entrusted to the petitioner. It is also submitted in the counter that the

Vigilance Department is taking up verification of the works executed by the petitioner for the year 2019-2024 and the reports were awaited.

4. It is submitted that the respondents admitted that the payment should be made after improvement of funds and seeks further time.

5. Considering the submissions of learned counsel for the petitioner and learned Standing Counsel for the respondents, this Court is of the considered view that the bills due payable to the petitioner for the works executed by him would have to be paid without any further delay. There is no time frame for completion of the vigilance enquiry. That apart the learned Standing Counsel has not submitted on the methodology adopted by the vigilance committee to verify the works completed about five years ago. In so far as the Vigilance Enquiry is concerned, in the event an adverse report against the works completed by the petitioner is arrived at, the respondents shall have the right to proceed against the petitioner in accordance with law. Further, the petitioner shall submit a security bond for the amount released and in case it is found that they are due payable, the department can take appropriate action for recovery of the amount. It is needless to mention that the said exercise shall be completed within a period of eight (08) weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE HARINATH.N

Date: 06.01.2026
Pmk

180**THE HONOURABLE SRI JUSTICE HARINATH.N****WRIT PETITION NO: 36372 of 2025****Date: 06.01.2026***Pmk*