

APHC010721442025



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

[0]

FRIDAY, THE SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION Nos: 36813, 36822, 36833 & 36836 of 2025

W.P.No.36813 of 2025:

Between:

1.M/S. SRI SAI CONSTRUCTIONS, REP., BY ITS PROPRIETOR D.RAMPRASAD, AGED ABOUT 50 YEARS, OCC- CONTRACTOR, R/O.D.NO.2-277, AANJANEYA NAGAR, 3RD APSP QUARTERS, KAKINADA - 533005.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, ENERGY DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

2.THE ANDHRA PRADESH EASTERN POWER DISTRIBUTION CORP LTD, REP., BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.

3.THE CHIEF GENERAL MANGER, OPERATIONS AND CS, APEPDCL, OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.

4.THE SUPERINTENDING ENGINEER, OPERATIONS, EAST GODAVARI CIRCLE, APEPDCL, GODAVARI BANDA ROAD, VULLI THOTA, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT.533101

5.THE EXECUTIVE ENGINEER, OPERATIONS, RAJAMAHENDRAVARAM DIVISION, APEPDCL, EAST GODAVARI DISTRICT.533101

6.M/S SANKAR INFRA, REP., BY ITS PROPRIETOR S.JAYA SHANKAR KRISHNA, R/O.D.NO.75-4-37/A, KARAKATTA NORTH,

BHAVANIPURAM, VIJAYAWADA -520 001.

...RESPONDENT(S):

Counsel for the Petitioner:

1.V R REDDY KOVVURI

Counsel for the Respondent(S):

1.GP FOR ENERGY

W.P.No.36822 of 2025:

Between:

1.VINIKONDA MANIKAYALA RAO, S/O.VENKATA TRINADHULU AGED ABOUT 48 YEARS, OCC CONTRACTOR, R/O. D.NO. 2-2H-3A,, VIDYA NAGAR, NIDADAVOLE, EAST GODAVARI DISTRICT- 534301.

...PETITIONER

AND

1.THE STATE OF AP, REP., BY ITS PRINCIPAL SECRETARY ENERGY DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

2. THE ANDHRA PRADESH EASTERN POWER DISTRIBUTION CORP LTD, REP., BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.

3. THE CHIEF GENERAL MANGER, OPERATIONS AND CS, APEPDCL, OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.

4. THE SUPERINTENDING ENGINEER, OPERATIONS, EAST GODAVARI CIRCLE, APEPDCL GODAVARI BANDA ROAD, VULLI THOTA, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT.

5. THE EXECUTIVE ENGINEER, OPERATIONS, RAJAMAHENDRAVARAM DIVISION APEPDCL, EAST GODAVARI DISTRICT.

6. M/S SANKAR INFRA, REP., BY ITS PROPRIETOR S.JAYA SHANKAR KRISHNA R/O.D.NO.75-4-37/A, KARAKATTA NORTH, BHAVANIPURAM, VIJAYAWADA -520 001.

7. M/S SURENDRA INFRA, REP., BY ITS PROPRIETOR P.SURENDRA, R/O.D.NO.21-72/1-506, SRI ENCLAVE, NTR STATUE ROAD, GOLLAPUDI, VIJAYAWADA-521225

Counsel for the Petitioner:

1.V R REDDY KOVVURI

Counsel for the Respondent(S):

1.GP FOR ENERGY

W.P.No.36833 of 2025:

Between:

1.VINIKONDA MANIKYALA RAO,, S/O.VENKATATRINADHULU, AGED ABOUT 48YEARS, OCC CONTRACTOR, R/O.D.NO.2-2H-3A,,VIDYA NAGAR, NIDADAVOLE, EAST GODAVARI DISTRICT-534301

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY ENERGY DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATHI,GUNTUR DISTRICT.

2.THE ANDHRA PRADESH EASTERN POWER DISTRIBUTION CORP LTD, REP., BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.

3.THE CHIEF GENERAL MANGER, OPERATIONS AND CS, APEPDCL, OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.

4.THE SUPERINTENDING ENGINEER, OPERATIONS, EAST GODAVARI CIRCLE, APEPDCL GODAVARI BANDA ROAD, VULLI THOTA, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT.

5.THE EXECUTIVE ENGINEER, OPERATIONS, RAJAMAHENDRAVARAM DIVISION APEPDCL, EAST GODAVARI DISTRICT.

6.M/S SANKAR INFRA, REP., BY ITS PROPRIETOR S.JAYA SHANKAR KRISHNA R/O.D.NO.75-4-37/A, KARAKATTA NORTH, BHAVANIPURAM, VIJAYAWADA -520 001.

7.M/S SURENDRA INFRA, REP., BY ITS PROPRIETOR P.SURENDRA, R/O.D.NO.21-72/1-506, SRI ENCLAVE, NTR STATUE ROAD, GOLLAPUDI, VIJAYAWADA-521225

...RESPONDENT(S):

Counsel for the Petitioner:

1.V R REDDY KOVVURI

Counsel for the Respondent(S):

1.GP FOR ENERGY

W.P.No.36836 of 2025:

Between:

- 1.SRI SAI SERVICES, REP., BY ITS PROPRIETOR K.VENKATA RAO, S/O.SINGAIAH, AGED ABOUT 46 YEARS, OCC CONTRACTOR, RIO. D.NO.69-14-966, 8TH LINE, INDRA COLONY, SANGADI GUNTA, NEAR GANESH TEMPLE, GUNTUR - 522003.

...PETITIONER

AND

- 1.THE STATE OF AP, REP., BY ITS PRINCIPAL SECRETARY, ENERGY DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE ANDHRA PRADESH EASTERN POWER DISTRIBUTION CORP LTD, REP., BY ITS CHAIRMAN AND MANAGING DIRECTOR, CORPORATE OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.
- 3.THE CHIEF GENERAL MANGER, OPERATIONS AND CS, APEPDCL, OFFICE NEAR GURUDWARA P AND T COLONY, SEETAMMADHARA, VISAKHAPATNAM-530013.
- 4.THE SUPERINTENDING ENGINEER, OPERATIONS, EAST GODAVARI CIRCLE, APEPDCL, GODAVARI BANDA ROAD, VULLI THOTA, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT.
- 5.THE EXECUTIVE ENGINEER, OPERATIONS, RAJAMAHENDRAVARAM DIVISION, APEPDCL, EAST GODAVARI DISTRICT.
- 6.M/S SURENDRA INFRA, REP., BY ITS PROPRIETOR P.SURENDRA, R/O.D.NO.21-72/1-506, SRI ENCLAVE, NTR STATUE ROAD, GOLLAPUDI, VIJAYAWADA-521225.
- 7.M/S SANKAR INFRA, REP., BY ITS PROPRIETOR S.JAYA SHANKAR KRISHNA, RIO.D.NO.75-4-37/A, KARAKATTA NORTH, BHAVANIPURAM, VIJAYAWADA -520 001.

...RESPONDENT(S):

Counsel for the Petitioner:

- 1.V R REDDY KOVVURI

Counsel for the Respondent(S):

- 1.GP FOR ENERGY

The Court made the following:

COMMON ORAL ORDER:

Heard Sri V.R. Reddy Kovvuri, learned Counsel for the Writ Petitioners and Sri V.V. Sathish, learned Standing Counsel for APEPDCL assisted by Sri Y. Nagendra, learned Counsel.

2. These Writ Petitions are filed questioning the action of the Respondents in cancelling the Tender Notification on 24.10.2025 as regards the Tender Notification issued on 12.09.2025.

3. The facts on record in W.P.No.36813 of 2025, as submitted by Sri V.R. Reddy Kovvuri, learned Counsel for the Writ Petitioners, are to the effect that in pursuance of the Tender Notification dated 12.09.2025, all the bidders have submitted bids before the last date i.e., on 26.09.2025. It is submitted that *vide* Corrigendum dated 24.10.2025, the Tender Notification issued on 12.09.2025 was cancelled without assigning any reasons. Thereafter, on 14.11.2025, the Respondents have issued a fresh Tender Notification with regard to the same subject matter that is involved in the earlier Tender Notification dated 12.09.2025. All the present Writ Petitioners have also participated in the tender process. It is submitted that the second Tender Notification dated 14.11.2025 was further processed and the Writ Petitioners herein came to know that the Unofficial Respondent No.6 was given the contract.

4. Learned Counsel for the Writ Petitioners would submit that cancellation of the earlier Tender Notification *vide* Corrigendum dated 24.10.2025 is *mala fide* on account of certain events and facts which the Writ Petitioners have come to know at a belated stage. He would submit that the Unofficial Respondent No.6 did not have the essential requirement of a Certificate of Registration at the time of submitting its bid at the first notification stage, and that the Official Respondents, in order to accommodate the Unofficial Respondent No.6 to procure the Certificate of Registration, have cancelled the Tender Notification with a mala fide intention.

5. It transpires from the facts that the Respondent No.6 has obtained Certificate of Registration on 15.10.2025, admittedly, which was not submitted by the said Respondent under the first Tender Notification. The said Respondent No.6 has submitted Certificate of Registration in the second Tender Notification dated 14.11.2025.

6. The above facts would indicate that the balance of convenience, *prima facie*, is in favour of the Writ Petitioners herein, inasmuch as the earlier Tender Notification dated 12.09.2025 was cancelled by the Official Respondents on 24.10.2025 without assigning any reasons, and the subsequent events which have unfolded would indicate that the Unofficial Respondent No.6, which did not have the Certificate of Registration during the first tender process, subsequently procured the Certificate of Registration on 15.10.2025.

7. In this view of the matter, the Official Respondents are directed to suspend all further proceedings in relation to the Tender Notification dated 14.11.2025 till the next listing.

8. The Principal Secretary, Department of Energy (Respondent No.1) is directed to place on record the entire record relating to the Tender Notification dated 12.09.2025 and also the Tender Notification dated 14.11.2025 in a Sealed Cover. The said documents shall be submitted before the Registrar (Judicial) on or before 05.01.2026.

9. List the matters on 06.01.2026 in the motion list.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 02.01.2026

Note: Issue C.C today,
B/o,
Vns