APHC010152492026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3327]**
(Special Original Jurisdiction)

MONDAY,THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO: 9414/2026

Between:

1. MS ABC CONSTRUCTIONS, REP. BY ITS MANAGING PARTNER, P YERIKINAIDU, S/O. LACHANNA, AGE 68 YEARS, OCC CONTRACTOR, R/O. D.NO. 1-4-84/1, CHITTOODI THOTA, PITHAPURAM TOWN AND MANDAL, ERSTWHILE EAST GODAVARI DISTRICT, NOW KAKINADA DISTRICT- 533450

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY PANCHAYAT RAJ AND RURAL DEPARTMENT SECRETARIAT, VELAGAPUDI, AMARAVATHI, THULLURU MANDAL, GUNTUR DISTRICT-522238.
2. STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FINANCE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, THULLUR MANDAL, GUNTUR DISTRICT-522238
3. THE DEPUTY EXECUTIVE ENGINEER, PRI SUB DIVISION, KAKINADA, ERSTWHILE EAST GODAVARI DISTRICT, NOW KAKINADA DISTRICT-533001
4. THE EXECUTIVE ENGINEER, PRI SUB DIVISION, KAKINADA, ERSTWHILE EAST GODAVARI DISTRICT, NOW KAKINADA DISTRICT-533001

5. THE NEMAM GRAMA PANCHAYAT, REP. BY ITS PANCHAYAT SECRETARY/SPECIAL OFFICER NEMAM VILLAGE, KAKINADA RURAL MANDAL ERSTWHILE EAST GODAVARI DISTRICT, NOW KAKINADA DISTRICT-533005

...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 or any other appropriate writ or direction declaring the respondent authorities are not paying the bill amount of Rs. 4,99,997/- for the execution of work i.e., Providing BT Road from KM 0/880 to 0/990 Beach Road to Nemam House sites at Nemam (V) of Kakinada (R) Mandal even though completed the entire work is illegal and arbitrary and violative of Articles 14, 16 and 21 of constitution of India and consequential direct the respondents to pay an amount of Rs. 4,99,997/- forthwith along with interest in the interest of justice 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 respondents to consider for payment of amount Rs. 4,99,997/- pending bills for the works executed by the petitioner i.e., “Providing BT Road from KM 0/880 to 0/990 Beach Road to Nemam House sites at Nemam (V) of Kakinada (R) Mandal” forthwith, pending disposal of the main Writ Petition and pass

Counsel for the Petitioner:

1. AMARLAPUDI ANITHA

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. GP FOR FINANCE PLANNING

The Court made the following:

O R D E R

This Writ Petition is filed seeking the following relief:

> "….may be pleased to issue a Writ, Order, or Direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ or direction declaring the respondent authorities are not paying the bill amount of Rs. 4,99,997/- for the execution of work i.e., Providing BT Road from KM 0/880 to 0/990 Beach Road to Nemam House sites at Nemam Village of Kakinada Rural Mandal even though completed the entire work is illegal and arbitrary and violative of articles 14, 16 and 21 of constitution of India and consequential direct the respondents to pay an amount of Rs. 4,99,997/- forthwith along with interest in the interest of justice and pass such other order…"

2. Heard learned counsel for the petitioner and the learned Standing Counsel for Respondent No.5/Gram Panchayat.

3. The petitioner claims to be a registered contractor engaged in the execution of civil works, including construction of bridges, roads and canals, and that he was entrusted with various works of the Panchayat Raj Department and the Roads & Buildings Department on a tender basis. It is its case that it was awarded a contract for execution of the work viz. "Providing BT Road from KM 0/880 to KM 0/990 from Beach Road to Nemam House Sites at Nemam Village, Kakinada Rural Mandal." It is the case of the petitioner that he deposited the requisite security amount and executed the work to the satisfaction of the authorities concerned, and upon completion of the work, Respondent Nos.3 and 4 measured the same and recorded the measurements in the Measurement Books, and the value of the work was assessed at Rs.4,99,997/-.

4. It is the grievance of the petitioner that notwithstanding the completion of the work and its measurement by the competent authorities, the amount due towards the executed work has not been paid till date. According to the

petitioner, although the work was completed more than four years ago, the respondent authorities did not release the admitted amount payable to him. Aggrieved by the non-payment of the said amount, the petitioner filed the present Writ Petition.

5. Learned Standing Counsel for Respondent No.5, on written instructions, from the Executive Engineer, PRI Division, Kakinada-4th respondent, submits that there is no dispute with regard to the execution of the work. According to him, the petitioner is entitled to an amount of Rs.4,14,178/- after statutory deductions such as Income Tax, GST, Labour Cess, etc., aggregating to Rs.85,819/-, and that proposals for release of grant were submitted to the Revenue Divisional Officer, Kakinada, and sought six months' time for payment of the said amount. The written instructions are placed on record.

6. Having regard to the fact that there is no dispute with regard to the works executed by the petitioner and the amount payable to it, and in view of the submissions of the learned Standing Counsel for Respondent No.5, the respondent authorities are directed to pay a sum of Rs.4,14,178/- (Rupees Four Lakhs Fourteen Thousand One Hundred and Seventy-Eight Only) to the petitioner within a period of three (3) weeks from the date of receipt of a copy of this order.

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

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

Date: 15.06.2026.
MS/DRK

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No:9414 of 2026

Date: 15.06.2026

MS