Date of reserved for orders :
Date of pronouncement :
Date of uploading :

APHC010302052026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

THURSDAY, THE 25th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 16152/2026

Between:

1. S S BUILDERS, REP BY ITS PROPRIETOR SRI DASARI RAJU HIMACHALAM, S/O D KRISHNAMARAJU, AGED 44 YEARS, R/O FLAT NO.302, RAJA HOMES, VIJAYA LAKSHMI NAGAR, 1ST STREET, PODALAKURU ROAD, NELLORE, SPSR NELLORE DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR522238
2. THE EXECUTIVE ENGINEER, NELLORE MUNICIPAL CORPORATION, SPSR NELLORE DISTRICT.524001
3. THE NELLORE MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, SPSR NELLORE DISTRICT.524001
4. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT. 522238

...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 topleased to issue an appropriate Writ Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in withholding the payments of pending amounts of Rs. 27,73,328/- (Rupees Twenty Seven Lakhs Seventy Three Thousand Three Hundred and Twenty Eight only) for the year 2024, even after finalizing the bills, payable to the petitioner in relation to the works namely 1. Laying of CC Roads a) From SK Shabbeer House to Jafar Saheb canal (shafi house) b) From society office to Gourabathina mallikaharjuna house c) From SK Sandhani house to masjid D) From Sk Shanwaz house to jakkula sai House e) from mypadu road to venkata subba naidu site in Division no.1 of Nellore municipal corporation (Packge 3) 1) ,Agreement no.342/JIO-ll/2024-2025,Date18.03.2025 bad ,illegal, arbitrary, improper, unjust and against the Article 21 of Constitution of India and consequently direct the respondents to pay the amounts of Rs. 27,73,328/- (Rupees Twenty Seven as Lakhs Seventy Three Thousand Three Hundred and Twenty Eight only) with interest @ 24per annum for the delayed amount till date of realization for the works executed by the petitioner and pass

IA NO: 1 OF 2026

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 pleased to direct the respondents to forthwith consider releasing the amounts Rs. 27,73,328/- (Rupees Twenty Seven Lakhs Seventy Three Thousand Three Hundred and Twenty Eight only) payable to the petitioner herein, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1. DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent(S):

1. GP MUNCIPAL ADMN AND URBAN DEV AP

ORDER:

1. The petitioner is aggrieved by the action of the respondents in withholding the payments of pending amounts of Rs.27,73,328/- (Rupees Twenty Seven Lakhs Seventy Three Thousand Three Hundred and Twenty Eight only) for the year 2024, even after finalizing the bills, payable to the petitioner in relation to the works namely 1. Laying of CC Roads a) From SK Shabbeer House to Jafar Saheb canal (shafi house) b) From society office to Gourabathina Mallikaharjuna House c) From SK Sandhani house to Masjid d) From Sk Shanwaz house to Jakkula Sai House e) from Mypadu road to Venkata Subba Naidu site in Division no.1 of Nellore Municipal Corporation (Packge 3), Agreement No.342/JIO-ll/2024-2025, dated 18.03.2025.
2. The learned counsel further submits that the petitioner duly executed all the works and thereafter submitted final bills, which were duly endorsed by the competent authority. A statement detailing the works executed by the petitioner was prepared, and the progress of the work was recorded in the M-book. However, in spite of the completion of all procedural formalities, the payment towards the completed works has not been released till date.
3. Heard the submissions of the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration & Urban Development, Sri A.S.C.Bose, learned Standing Counsel for the Municipality and the learned Assistant Government Pleader for Finance and Planning.

4. During the course of hearing, the learned Standing Counsel appearing for the respondents does not dispute the submissions made by the petitioner with respect to the completion of the work undertaken and that the non-payment of bills is due to paucity of funds.

5. Considering the submissions, the concerned respondents are hereby directed to verify and release the payments due payable to the petitioner as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

   Pending miscellaneous petitions, if any, shall stand closed.

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JUSTICE HARINATH.N

Date:25.06.2026
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THE HONOURABLE SRI JUSTICE HARINATH.N

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Date: 25.06.2026

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