APHC010533872025

**IN THE HIGH COURT OF ANDHRA PRADESH**
**AT AMARAVATI** **[3331]**
**(Special Original Jurisdiction)**

WEDNESDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI**

**WRIT PETITION NO: 27742/2025**

**Between:**

1. NUNE MADHU VENKATA NAGIREDDY, S/O NUNE APPI REDDY, AGED ABOUT 28 YEARS, CONTRACTOR, D.NO 1-50, REDIA BAZAR, OBULAPURAM, NARUKULLAPADU VILLAGE, TOLUKODU POST, NTR DISTRICT- 521230.

**...PETITIONER**

**AND**

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, IRRIGATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH
3. THE DISTRICT COLLECTOR IRRIGATION WING, VIJAYAWADA, NTR DISTRICT.
4. THE SUPERINTENDING ENGINEER, , KLR PULICHINTALA PROJECT CIRCLE, VISSANNAPETA,
5. THE EXECUTIVE ENGINEER, NSLBC O AND M DIVISION, NUZVID
6. THE PAY AND ACCOUNT OFFICER WORKSS PROJECTS, VIJAYAWADA, NTR 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 WRIT OF MANDAMUS declaring the action of the Respondents in not paying the amount of Rs. Rs. 4,48,623/- (Rupees Four lakh forty-eight thousand six hundred and twenty- three only) with interest due to the Petitioner under contractual work executed by him, as illegal, arbitrary, unjust, contrary to the principles of natural justice and violation of the fundamental rights guaranteed under Article 14, 21 and consequently direct the Respondents to pay the amount of Rs. 4,48,623/- (Rupees Four lakh forty-eight thousand six hundred and twenty-three only) along with interest per annum due to the Petitioner under contractual work executed by him within the limits of 5th Respondent 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 to repay the amount of Rs. 4,48,623/- (Rupees Four lakh forty-eight thousand six hundred and twenty-three only) due to the Petitioner under contractual work executed by him and pass

**Counsel for the Petitioner:**

1. N V MOHANA RAO

**Counsel for the Respondent(S):**

1. GP FOR IRRI AND CAD
2. GP FOR FINANCE PLANNING

**The Court made the following:**

**::ORDER ::**

The above writ petition was filed to declare the action of the respondent authorities in not paying the amount of Rs.4,48,623/- in relation to the work executed by the petitioner i.e. Restoration of normal canal section @ the breach occurred @ Km 1.200 of Jakkampudi Major of Nagarjuna Sagar Lal

Bahadur Canal, AP, pursuant to Agreement No.02/2022-23, dated 07.12.2022 (Ex.P1), as illegal and arbitrary.

2. Heard Ms. K.V.N. Pallavi, learned counsel for the petitioner, and Sri S. Satish, the learned Assistant Government Pleader for Irrigation, appeared for the respondents.

3. Learned counsel for the petitioner would submit that pursuant to Ex.P1 agreement, the petitioner has executed the aforementioned work as per the timelines stipulated in the agreement and the same was verified by the respective authorities. However, the amount has not been paid so far.

4. A counter-affidavit was filed on behalf of respondent No.5. At para Nos.3 & 4, it was stated as follows:

> "3) It is submitted that the petitioner has executed the work (Restoration of normal canal sections @ breach occurred at Km.1.200 of Jakkampudi Major of NSLBC sanctioned vide **Commissioner, CADA, Vijayawada Proc. No. COM/CAD/O&M/3rd CAD/1124/2022-23, Dt.01-10-2022** and administrative sanction No.8000163704. The estimate for the works was technically sanctioned for Rs.5.90 Lakhs vide DR.No.02/2022-23, Dt.10-11-2022 (T.S.No.4000269095) entrusted vide Agreement No.02/2022-23, dated 07-12-2022 (Agt.No.1000371296) for an amount of Rs.4,64,617/-. The work was entrusted to Nune Madhu Venkata Nagireddy S/o Nune Appi Reddy Age about 28 years, Contractor, R/o D No 1-50, Redla Bazar, Obulapuram, Narukullapadu Village, Tolukodu Post, NTR District - 521 230 on Tender basis. The Gross Amount of the bill for L.S.1st & Final Bill under this agreement is Rs.4,64,617/-. The work was completed during the month of 01/2023. The Petitioner has prayed the Hon'ble High Court to direct the respondents to payment of the first & final bill amount.
>
> 4) It is submitted that the officials of the Water Resources Department have measured the work executed by the petitioner and also recorded the same in the measurement books and handed over the concerned M. Books to this office for process of payment to the Petitioner and also for which an amount to be paid was qualified. Due to lack of LOC, the bill was not processed. Later the Commissioner, CADA, Water Resources Department, Vijayawada has revised the concerned Head of Account vide Lr.No.COM/CAD/O&M/MISC/1521/

> 2024-25, Dt.22-04-2024. Due to not mapping of Head of Account, this office has unable to process the work bill in Nidhi Works module. This office has approached the CFMS authorities for mapping of Head of Account under this office DDO Code 05411210012."

5. Thus, as seen from the averments made in the counter-affidavit filed on behalf of respondent No.5, there is no dispute regarding the execution of work and the petitioner's entitlement for Rs.4,64,617/-. Since the amount payable is admitted and undisputed, the writ petition is maintainable. In ***M/s Utkal Highways Engineers and Contractors v. Chief General Manager & Ors***[1]***,*** it was held at Para No.8 as under:

> *"Be that as it may, the High court has not dealt with the merits of the writ petition. Moreover, it is not an inviolable rule that no money claim can be adjudicated upon in exercise of writ jurisdiction. Non-payment of admitted dues, inter alia, may be considered an arbitrary action on the part of respondents and for claiming the same, a writ petition may lie.Further, throwing a writ petition on ground of availability of alternative remedy after 10 years, particularly, when parties have exchanged their affidavits, is not the correct course unless there are disputed questions of fact which by their very nature cannot be adjudicated upon without recording formal evidence.".*

6. Given the averments made in the counter-affidavit filed on behalf of respondent No.5, the Writ Petition is disposed of, directing the respondents to release an amount of Rs.4,64,617/- payable to the petitioner regarding execution of the aforementioned works, within two (02) months from the date of receipt of the copy of this order. With respect to the interest component concerned, the petitioner is at liberty to approach the appropriate forum. No order as to costs.

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

**JUSTICE SUBBA REDDY SATTI**

Date: 17.06.2026
TVN

[1] 2025 SCC online SC 1400

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## THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

## WRIT PETITION NO: 27742 of 2025

Date: 17.06.2026
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