IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

TUESDAY ,THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 4173 OF 2025

Between:

N RAJENDRA PRASAD, S/o N. Balamukunda Prasad, aged 63 years, R/o H.No.21-2-15/41,7thRoad, SKD Colony, Adoni, Kurnool District.

...PETITIONER

AND

1. THE STATE OF AP, Rep. by its Principal Secretary to Government, Municipal Administration Department, Secretariat, Velagapudi, Amaravathi, Thullur Mandal, Guntur District.
2. State of Andhra Pradesh,, Rep. by its Principal Secretary to Government, Finance Department, Secretariat, Velagapudi, Amaravathi, Thullur Mandal, Guntur District.
3. The Adoni Municipality,, Rep By it's Commissioner, Adoni, Kurnool District
4. The Municipal Engineer,, Adoni Municipality, Kurnool District.

...RESPONDENTS

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 action of the respondents in not releasing the pending due payments of amount Rs. 7,15,568/- even after..finalizing the bills, payable to the petitioner in relation to the work i.e., to Construction of CC Drain from D. No 16/20/50 to Anganwadi center at paikottala (Rayanagar) in EW No 37 in Adoni Municipality Under GGMP Funds of Agreement.No.311/2023-24,datedil3.03.2024 vide M.Book NO. 282/2023-24 for Adoni Municipality Under GGMP Funds, as illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and consequently direct the respondent authorities to release the pending amounts of Rs. 7,15,568/- with interest for the pending bills forthwith for the above said work executed by the petitioner

IA NO: 1 OF 2025

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 Pending Amount Bills of Rs. 7,15,568/- with interest for the work executed by the petitioner for the various work in Adoni Municipality through the Agreements forthwith, pending disposal of the main Writ Petition.

Counsel for the Petitioner : SRI KOMMA VIJAYA RAJ KUMAR

Counsel for the Respondents : GP FOR MUNCIPAL ADMN URBAN DEVELOPMEMT (R1)

Counsel for the Respondents : GP FOR FINANCE DEPARTMENT (R2)

Counsel for the Respondents : GP FOR MUNCIPALITY (R3,R4)

The Court made the following ORDER :

APHC010072802025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3333]**
(Special Original Jurisdiction)

TUESDAY ,THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 4173/2025

Between:

N Rajendra Prasad ...**PETITIONER**

AND

The State Of Ap and Others ...**RESPONDENT(S)**

Counsel for the Petitioner:

1. KOMMA VIJAYA RAJ KUMAR

Counsel for the Respondent(S):

1. GP FOR MUNCIPAL ADMN URBAN DEV
2. GP FOR FINANCE PLANNING

The Court made the following:

ORDER :

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

> *"....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 action of the respondents in not releasing the pending due payments of amount Rs.7,15,568/- even after finalizing the bills payable to the petitioner in relation to the work i.e., to "Construction of CC Drain from D.No.16/20/50 to Anganwadi center at paikottala (Rayanagar) in EW No 37 in Adoni Municipality Under GGMP Funds" of Agreement No.311/2023-24, dated 13.03.2024 vide M.Book No.282/2023-24 for Adoni Municipality Under GGMP Funds, as illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and consequently direct the respondent authorities to release the pending amounts of Rs.7,15,568/- with interest for the pending bills forthwith for the above said work executed by the petitioner..."*

2. Heard learned counsel for the petitioner, learned Government Pleader for Finance and Planning and learned Standing Counsel for Municipality.

3. Learned counsel for the petitioner submits that even though respondents admitted that the petitioner is entitled for payment of the aforesaid sum of money, no payment is being made and such non-payment of money is clearly arbitrary and high-handed and thereby requires interference by this Court.

4. Learned Standing Counsel for Municipality has furnished a copy of instructions, wherein it is stated that the amounts payable to the petitioner are

admitted bills. However, due to lack of funds, the bill amounts have not been uploaded in the CFMS portal.

5. In view of the same, since the amount claimed by the petitioner is an admitted amount, this Court feels it appropriate to dispose of the writ petition directing the respondents to release amount of Rs.7,15,568/- (Rupees Seven Lakhs Fifteen Thousand Five Hundred and Sixty Eight only) to the petitioner within a period of three (3) months 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.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

Sd/- K. TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Rep. by its State Of AP, to Government, Municipal Administration Department, Secretariat, Velagapudi, Amaravathi, Thullur Mandal, Guntur District.
2. The Principal Secretary Rep. by its State of Andhra Pradesh,to Government, Finance Department, Secretariat, Velagapudi, Amaravathi, Thullur Mandal, Guntur District.
3. The Commissioner Rep By it's Municipality, Commissioner, Adoni, Kurnool District
4. The Municipal Engineer,, Adoni Municipality, Kurnool District.

5. One CC to SRI. KOMMA VIJAYA RAJ KUMAR Advocate [OPUC]

6. One CC to GP FOR FINANCE & PLANNING DEPARTMENT

7. One CC to GP FOR MUNICIPALITY DEPARTMENT

8. Two CCs to GP FOR MUNCIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]

9. THREE CD COPIES

TAC

HIGH COURT

DATED:25/02/2025

ORDER

WP.No.4173 of 2025



DISPOSING THE WP WITHOUT COSTS