IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

MONDAY, THE THIRD DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 4634 OF 2025

Between:

N. Venkata Krishna Varma, S/o. Nadimpalli Satyanarayana Raju, Age 55 years ,68-10-20/4,Vidyut Nagar, Kakinada.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Municipal Administration And Urban Development Department, Secretariat Building, Velagapudi, Amaravathi, Guntur.
2. Municipal Corporation Kakinada, rep.by its Commissioner, Kakinada Kakinada District.
3. Municipal Corporation Kakinada, Rep.by its Executive Engineer Kakinada District.
4. The State of Andhra Pradesh, Rep. by its Principal Secretary Department of Finance and Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur 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 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.

17,28,324/- (Seventeen Lakhs, Twenty Eight Thousand, Three Hundred and Twenty Four Rupees only) even after finalizing the bills payable to the petitioner in relation to the Two works i.e Providing CC Drains from Gurrala vari street connecting to vinayakatemple street from D.No.3-8-45 to 3-15-C1 At Recharlapeta 6A Secretariat (GGMP),Agreement No.69/EEI/2023-2024,Dated 21.09.2023 For the year 2023 as 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. 17,28,324/- (Seventeen Lakhs, Twenty Eight Thousand, Three Hundred and Twenty Four Rupees only) with interest @ 24 percent per annum for the delayed amount till date of realization for the works 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 the respondents to releasing the amounts payable to him, pending disposal of the write petition.

Counsel for the Petitioner: SRI. DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent No.1: GP FOR MUNCIPAL ADMN URBAN DEV

Counsel for the Respondent Nos 2&3: SRI M KRISHNA RAO SC FOR MAUD

Counsel for the Respondent No.4: GP FOR FINANCE PLANNING

The Court made the following order:

APHC010085712025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3460]
(Special Original Jurisdiction)

MONDAY ,THE THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 4634/2025

Between:

N Venkata Krishna Varma ...**PETITIONER**

AND

The State Of Andhra Pradesh and Others ...**RESPONDENT(S)**

Counsel for the Petitioner:

1. DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent(S):

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

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.4634 OF 2025

ORDER:

The present Writ Petition is filed seeking for the following relief:

> "to declare the action of the Respondents in withholding the payments of pending amounts of Rs 17, 28, 324/- even after finalizing the bills payable to the petitioner in relation to the works executed by the Petitioner as 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 17,28,324/- with interest at 24% per annum".

2. The case of the Petitioner is that he is a Civil Contractor. The contract work listed below was granted to the Petitioner by the respondents vide Agreement No.69/EEI/2023-2024, dated 21.09.2023:

> "1) Providing CC Roads from Gurralavari Street connecting to Vinayakatemple street from D.No.3-8-45 to 3-15-C1 at Recharlapeta 6A Secretariat (GGMP)".

3. The contention of the Petitioner is that after execution of the said work, a final bill was prepared for a sum of Rs.17,28,324/- as per the sanctioned orders and sent the same to Respondent

No.2 for payment. As the payment of the said amount has not been made by the respondents, the Petitioner has approached this Court by way of the present Writ Petition.

4. Sri M. Shanukha Teja, learned counsel, representing Sri M. Krishna Rao, learned Standing Counsel appearing for the Respondent Nos. 2 and 3, submits that the bills are being examined by the respondents as per standard procedures.

5. Considering the submission made by the learned counsel appearing for the Respondent Nos. 2 and 3, it would be appropriate to dispose of the Writ Petition with a direction to the respondent No.2 to examine the bills submitted by the Petitioner, verify the works and accordingly consider for payment of the same, within a period of 08 Weeks from today.

6. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, pending applications, if any, shall stand closed.

Sd/- M SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration And Urban Development Department, State of Andhra Pradesh, Secretariat Building, Velagapudi, Amaravathi, Guntur.

2. The Commissioner, Municipal Corporation Kakinada, Kakinada Kakinada District.

3. The Executive Engineer, Municipal Corporation Kakinada, Kakinada District.

4. The Principal Secretary Department of Finance and Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

5. One CC to Sri. Devasri Roshan Kancharla Advocate [OPUC]

6. One CC to Sri. M Krishna Rao SC for MAUD [OPUC]

7. Two CCs to GP For Municipal Admin Urban Dev, High Court Of Andhra Pradesh. [OUT]

8. Two CCs to GP For Finance Planning, High Court Of Andhra Pradesh. [OUT]

9. Three CD Copies

GSC

HIGH COURT

DATED:03/03/2025

ORDER

WP.No.4634 of 2025



DISPOSING OF THE WP

WITHOUT COSTS