IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

TUESDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 5343 OF 2025

Between:

M. Satyanarayana, S/o.Veerabhadra Rao.A, Age 50 years, 1-5-39,Thummalapalli vari street, kondayapalem, Kakinada, East Godavari District.

...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. Kakinada Municipal Corporation, rep.by its Commissioner, Kakinada, Kakinada District.
3. Kakinada Municipal Corporation, 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. 34,58,946/- (Thirty Four Lakhs, Fifty Eight Thousand, Nine Hundred and Forty Six Rupees only) even after finalizing the bills payable to the petitioner in relation to the works i.e /. Construction of internal CC drains at gollapeta Madhavarao street Jirumalarao street, Srinivas street and laying

of cc roads at gollapeta in 38th division of Kakinada Municipal Corporation Agreement NO.89/SE/2022 023,Dated 28.01.2023 For the year 2022 as bad .illegal, arbitrary, improper, unjust and against the Article 21 of constitution of India and NO.89/SE/2022- consequently direct the respondents to pay the amounts of Rs. 34,58,946/- (Thirty Four Lakhs, Fifty Eight Thousand, Nine Hundred and Forty Six Rupees only) with interest @ 24% 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 writ 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 SINGAMSETTY V.M. SANKAR

Counsel for the Respondent No.1 : GP FOF MUNICIPAL ADMN AND URBAN DEVELOPMENT

Counsel for the Respondent Nos.2 & 3 : SRI M.KRISHNA RAO, SC FOR MUNICIPALITY

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

The Court made the following: ORDER

APHC010089822025

IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI [3460]

(Special Original Jurisdiction)

TUESDAY, THE FOURTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 5343/2025

Between:

M Satyanarayana ...**PETITIONER**

AND

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

Counsel for the Petitioner:

1. SINGAMSETTY V.M. SANKAR

Counsel for the Respondent(S):

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

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.5343 OF 2025

ORDER:

The Writ Petition is filed questioning action of the respondents in not releasing the amount of Rs. 34,58,946/- to the Petitioner even after finalizing the bills for the work executed i.e., *"(i) Construction of internal CC drains at Gollapeta, Madhavarao Street, Tirumalarao Street, Srinivas Street and laying of CC roads at Gollapeta in 38th Division of Kakinada Municipal Corporation" vide* agreement No.89/SE/2022-2023, dated 28.01.2023.

2. Heard the learned counsel for the Petitioner and the learned Standing Counsel for the Respondent-Corporation.

3. The Petitioner submits that he has duly completed the aforesaid work under the respective Agreement No.89/SE/2022-2023, dated 28.01.2023. However, despite execution of the work, the respondents have failed to release the amounts due.

4. The learned Standing Counsel submitted that he did not receive any instructions regarding the claim of the Petitioner.

5. However, considering the submission of the Petitioner that the work as per the agreement was completed, this Court is of the opinion that the Writ Petition can be disposed with following directions;

(i) The Respondents shall examine the works executed by the Petitioner in terms of the Agreement No.89/SE/2022-2023, dated 28.01.2023, within a period of eight (08) weeks, from today and thereafter, verify the bills of the Petitioner within a further period of six (06) weeks.

(ii) The amounts assessed to be due to the Petitioner shall be paid within a further period of eight (08) weeks, thereafter.

6. Accordingly, the Writ Petition is disposed of.

There shall be no order as to costs. Consequently, miscellaneous applications, if any, pending shall stand closed.

Sd/- A.VIJAYA BABU
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, Kakinada Municipal Corporation, Kakinada, Kakinada District.
3. The Executive Engineer, Kakinada Municipal Corporation, 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 Singamsetty V.M. Sankar, Advocate [OPUC]
6. Two CCs to GP for Municipal Admn and Urban Development, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
8. One CC to Sri M. Krishna Rao, SC for Municipality (OPUC)
9. Three C.D. Copies.

Cnr

HIGH COURT

VN,J

DATED:04/03/2025

ORDER

WP.No.5343 of 2025



DISPOSING OF THE W.P.
WITHOUT COSTS