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

THURSDAY, THE TWENTY SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 15350 OF 2024

Between:

M/s. MRGR Constructions, Rep.by its Managing Partner Sri M.Rama Govinda Reddy S/o.M.Pitchi Reddy, aged 62 years Flat No.402, Venkatadri Apartment Gandhi Nagar, Kadapa - 516 001 Andhra Pradesh.

...PETITIONER

AND

1. The State of AP, Rep.by its Principal Secretary Water Resources Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District
2. The State of Andhra Pradesh, Rep.by its Principal Secretary Finance Department, A.P. Secretariat Velagapudi, Amaravati, Guntur District.
3. The Chief Engineering (Projects), District Water Resources Department Mamillapalle, Kadapa, YSR Kadapa District Andhra Pradesh
4. The Superintending Engineer, NTR TGP Circle, Kadapa - 516 004 YSR Kadapa District, Andhra Pradesh
5. The Executive Engineer, NTR TGP Division, Porumamilla YSR Kadapa District, Andhra Pradesh
6. The Pay and Accounts Officer, Kadapa, YSR Kadapa District Andhra Pradesh

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed 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 a writ of Mandamus declaring the action of the

respondents in not releasing the funds of Rs. 1,51,71,579/- in respect of the work done vide agreement No.02/2020-2021 dt.30-07-2020 Earth Excavation and forming embankment including construction of CM and CD Works in Block Nos.38 and 39 Telugu Ganga balance work, Kadapa District, Andhra Pradesh as illegal and arbitrary and consequently direct the respondents to release the amount of Rs. 1,51,71,579/- to the petitioner for the above work along with interest.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed 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 pay the amount of Rs. 1,51,71,579/- to the petitioner forthwith for the work relating to earth work excavation and forming embankment including construction of CM & CD works in Block Nos.38 and 39 Telugu Ganga Balance work vide agreement No.02/2020-2021 dt.30-07-2020 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI D KODANDARAMI REDDY

Counsel for the Respondent Nos. 1, 3 to 5: GP FOR IRRI AND CAD

Counsel for the Respondent Nos. 2 & 6: GP FOR FINANCE & PLANNING

The Court made the following: ORDER

APHC010302562024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3459]**
(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT
THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 15350/2024

Between:

M/s.MRGR Constructions ...**PETITIONER**

AND

The State of AP and others ...**RESPONDENT(S)**

Counsel for the Petitioner:
1. D KODANDARAMI REDDY
Counsel for the Respondent(S):
1. GP FOR IRRI AND CAD
2. GP FOR FINANCE PLANNING

The Court made the following order:

The present 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 declaring the action of the Respondents in not releasing the funds of Rs.1,51,71,579/- in respect of the work done vide agreement No.02/2020-2021, dt.30.07.2020 "Earth Excavation and forming embankment including construction of CM & CD Works in Block Nos.38 and 39 Telugu Ganga balance work, Kadapa District, Andhra Pradesh, as illegal and arbitrary and consequently direct the respondents to release the amount of Rs.1,51,71,579/- to the petitioner for the above work along with interest and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case." (in verbatim)*

2. Heard learned counsel for the petitioner as well as learned Government Pleader for Finance and Planning appearing for respondent Nos.2 and 8.

3. Today, when the matter came up for hearing, learned Government Pleader for Finance and Planning, on the written instructions of the 5th respondent, vide letter dated 29.07.2024, submits that 2nd and part bill for net amount of Rs.1,51,71,579/- was uploaded in CFMS portal on 21.12.2022 and token number was generated as 2022-2179653. Due to insufficient funds, the bill amount was not paid to the petitioner during the financial year 2022-23 and hence, the bill was migrated to the next financial year i.e., 2023-24 vide CFMS bill ID No.2023-217531.

4. At this juncture, learned counsel for the petitioner submits that as the bill amount was not paid to the petitioner during the year 2023-24, the bill was again uploaded in CFMS portal and token number was generated as 2024-163643, however, payment of the bill is not made to the petitioner so far.

5. Recording the aforesaid submissions, the Writ Petition is disposed of directing the respondents to clear the 2nd and part bill for net amount of Rs.1,51,71,579/- and release the amount in favour of the petitioner, within a period of three (3) months from the date of receipt of a copy of this order, with interest at 12% p.a. The interest

shall be computed from the date of expiry of one month from the date of submission of the bill by the petitioner till the date of payment. No order as to costs.

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

Sd/- P.U.V.BHASKAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Water Resources Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District
2. The Principal Secretary, Finance Department, A.P. Secretariat Velagapudi, Amaravati, Guntur District.
3. The Chief Engineering (Projects), District Water Resources Department Mamillapalle, Kadapa, YSR Kadapa District Andhra Pradesh
4. The Superintending Engineer, NTR TGP Circle, Kadapa - 516 004 YSR Kadapa District, Andhra Pradesh
5. The Executive Engineer, NTRa TGP Division, Porumamilla YSR Kadapa District, Andhra Pradesh
6. The Pay and Accounts Officer, Kadapa, YSR Kadapa District Andhra Pradesh
7. One CC to Sri D Kodandarami Reddy Advocate [OPUC]
8. Two CCs to GP for Irri and CAD, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
10. Three CD Copies

TF

HIGH COURT

DATED:27/03/2025

ORDER

WP.No.15350 of 2024



DISPOSING OF THE W.P., WITHOUT COSTS