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APHC010236202026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 12530/2026

Between:

1. M/S.SRI SATYA SAI CONSTRUCTIONS,, REP. BY ITS MANAGING PARTNER, SRI.CHEKURI KRISHNAM RAJU, S/O.GOPALA RAJU, AGED ABOUT 55 YEARS. R/O D.NO.50-97-12, SRI SATYA SAI NILAYAM, SEETHAMMADHARA, VISAKHAPATNAM - 530013.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, TRIBAL WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH. 522238
2. THE DIRECTOR, TRIBAL WELFARE DEPARTMENT, SIDHARTHA NAGAR, LABBIPET, VIJAYAWADA, N.T.R. DISTRICT.520010
3. THE SECRETARY, GURUKULAM, TRIBAL WELFARE DEPARTMENT, TADEPALLI VILLAGE.522501
4. THE CHIEF ENGINEER TRIBAL WELFARE DEPARTMENT, FIRST FLOOR, MURALI FORTUNE ROAD, REVENUE COLONY PARK, SIDHARTHA NAGAR, LABBIPET, VIJAYAWADA, N.T.R. DISTRICT.520010
5. THE SUPERINTENDENT ENGINEER, TRIBAL WELFARE DEPARTMENT, USHODAYA JUNCTION, VISAKHAPATNAM TOWN AND DISTRICT.530017
6. THE EXECUTIVE ENGINEER, ARUKU DIVISION, TRIBAL WELFARE DEPARTMENT, ARUKU.531151
7. THE EXECUTIVE ENGINEER, SEETHAMPETA DIVISION, TRIBAL WELFARE DEPARTMENT, SEETHAMPETA.532443
8. THE EXECUTIVE ENGINEER, PARVATHIPURAM DIVISION, TRIBAL WELFARE DEPARTMENT, PARVATHIPURAM. 5 35501

...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 topleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action on part of the Respondents No.4 and 5 in not rectifying the Ceiling Plastering of Single Coat to Two Coats in pursuance of the constructions of seven (7)

Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupam, Meliaputti, Bhamini and Guruvinayudupeta in the sanctioned estimates which were altered after submission of working estimates by one S.Srinivas (i.e.. The Ex- Chief Engineer and Superintendent) and the said illegal alteration has been confirmed by the by Respondents No.6 to 8 vide letter, dated 21.10.2025, 27.10.2025 and 27.10.2025 to the Respondent No.4 and 5 as arbitrary, illegal, colorable exercise of power and violative of the Fundamental Rights guaranteed to me under Article 14,19 and 21 of the Constitution of India and consequently direct the respondents No.4 and 5 to rectify the alterations carried out by S.Srinivas (i.e., The Ex- Chief Engineer and Superintendent) in the M-Books and Working Estimates for Ceiling Plastering from Single Coat to Two Coats in pursuance of the constructions of seven (7) Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupam, Meliaputti, Bhamini and Guruvinayudupeta as per letter, dated 21.10.2025, 27.10.2025 and 27.10.2025 issued the respondent No.6 to 8 and pass

IA NO: 1 OF 2026

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 pleased to direct the respondent No.4 and 5 to consider the representation in considering the representations, dated 04.12.2025 and 17.04.2026 submitted by the petitioner, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. B.ABHAY SIDDHANTH MOOTHA

Counsel for the Respondent(S):

1. GP FOR SOCIAL WELFARE

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.12530 OF 2026

ORDER:

1. The petitioner, a contractor, was entrusted with the construction work for 7 Ekalavya Model Residential Schools at Manchingput, Dambriguda, Anasabadhra, Kurupam, Meliaputty, Bhamini, and Guruvinayudupeta. Agreements were entered into with the respondent authorities for the construction of the said schools in the year 2017. The petitioner has filed copies of the agreements dated 26.12.2017.
2. The learned counsel appearing for the petitioner submits that though the petitioner agreed on a specified estimated cost of each school, the petitioner incurred additional amounts after the final estimate bill, including the additional works, escalations, GST and the deviations, which were recommended by the respondents; the petitioner had incurred additional amounts which were already sanctioned and approved by the respondent authorities. The additional amounts due and payable are awaiting administrative sanction.
3. It is submitted that the petitioner submitted the final bills in 2023 and is awaiting payment. It is submitted that the then Chief Engineer, Tribal Welfare Department, raised illegal demands on the petitioner to clear the petitioner's bills. It is submitted that the petitioner was constrained to approach the Anti-Corruption Bureau; thereafter, a trap was laid by the Anti-Corruption Bureau against the then Chief Engineer-cum-

Superintendent Engineer, and he was caught red-handed in the said trap with tainted money of ₹25,00,000/- on 07.08.2025.

4. It is submitted that the recordings in the M-books were made in the presence of the petitioner or the petitioner's authorised field engineer, and all the entries in the M-books were updated in the presence of the petitioner and respondents no. 6 to 8. It is submitted that after the arrest of respondent no. 4, the petitioner visited the offices of respondents no. 4 and 5 to seek clearance of the bills and found that the final working estimates had been altered without notice to the petitioner. It is submitted that clause 41 of the agreement requires recording of M books in the presence of the petitioner or the petitioner's authorised representative, and any alteration must be countersigned by the petitioner or his authorised representative.

5. It is submitted that the recordings in the M books about 2 coats of ceiling plastering were subsequently altered unilaterally as single coat plastering on 08.07.2025. The petitioner immediately approached respondent no. 4 and brought to her notice the manner in which the M books were altered at the instance of the then Chief Engineer. The 4th respondent in turn directed respondents nos. 6 to 8 to submit a factual report. It is also submitted that the petitioner used FE-500 grade steel instead of FE-415 grade steel, and the same was recorded in the M book. The petitioner thereafter addressed a representation dated 14.12.2025 seeking release of the amounts due and payable. The

petitioner quantifies a total loss of ₹47,00,000 due to the alteration from 2 coats of ceiling plastering to 1 coat of ceiling plastering for the 7 model schools constructed by the petitioner. It is submitted that the respondents are aware of the petitioner's complaint filed before the Anti-Corruption Bureau and are hostile to the petitioner's genuine claim. It is submitted that respondent no. 8 addressed a letter dated 21.10.2025 to respondent no. 4, duly admitting that the field staff, on instructions from the then Chief Engineer, made corrections in the M books on 08.07.2025. The Executive Engineer categorically made it clear that the petitioner used Fe-500 Grade steel and executed 2 coats of ceiling plastering.

6. The learned Assistant Government Pleader appearing for the respondents submits that a detailed counter is filed by respondent no. 4 and that the agreement itself requires the petitioner to do single coat plastering for the ceiling and that there was no supplementary agreement which was entered into by the respondents with the petitioner requiring the petitioner to do a two coat ceiling plastering. It is also submitted that the petitioner did not submit any representation seeking alteration or modification of the contract specifications. It is submitted that, without these documents, the petitioner cannot claim additional payment for allegedly completing 2 coats of ceiling plastering.

7. It is also submitted that the respondent department's quality control team physically inspected all 7 schools and found ceiling plastering of

12 mm thickness at the site. However, the quality control report recorded the 12 mm thickness but could not differentiate or verify that it consisted of 2 separate coats on site.

8. The learned counsel appearing for the petitioner submits that the petitioner has filed a reply, along with the report of the committee that inspected the subject construction on 19.08.2025. It is submitted that respondents 6 to 8 issued proceedings on 15.10.2025 and 21.10.2025 and categorically admitted that the petitioner executed 2 coats of cement plastering, and that the relevant entries were also made in the M books, which were subsequently altered at the instructions of the then chief engineer. It is submitted that the 12 mm thickness of the plastering on the ceiling categorically indicates that the petitioner applied 2 coats of plastering, resulting in a 12 mm thickness. It is submitted that the M books could not be altered at the behest of the then chief engineer without the concurrence or approval of the petitioner.

9. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader appearing for the respondents. Perused the record.

10. There is no dispute about the entrustment or execution of work by the petitioner. The only dispute raised in the present writ petition is the petitioner's claim for payment for the 2 coats of ceiling plastering done at the behest of the respondent authorities. The M books, which record

the work executed by the petitioner, have evidently been altered from 2 coats of ceiling plastering to single-coat ceiling plastering. The interpolations in the M book are not countersigned by the parties to the agreement. In such circumstances, the interpolations would have to be disregarded as not binding on the petitioner.

11. To resolve this dispute, it is pertinent to refer to the CPWD specifications; specification 13.4.6 states that the average thickness of plaster shall not be less than 6 mm, and the minimum thickness over any portion of the surface shall not be less than 5 mm. Admittedly, on the facts of the present case, and as per the committee report submitted to respondent No. 4, the plastering thickness on the ceiling was found to be 12 mm. This shows that the petitioner actually applied 2 coats of plastering to the ceiling, and the same is also recorded in the M books while submitting the final bills. However, under the peculiar circumstances of the present case, the M books were evidently altered without the counter signature of the petitioner or his authorised representative. Such interpolations must be ignored, and the department must take appropriate action against the person concerned by initiating disciplinary/departmental proceedings against those responsible for interpolating the M books pertaining to work executed by the petitioner.

12. The writ petition deserves to be allowed with a direction to the respondent authorities to rectify the alterations carried out without the

concurrence of the petitioner in the M-Books and to accordingly process the final bills of the petitioner in accordance with the recordings made in the M Book prior to alteration and clear the bill(s) of the petitioner as expeditiously as possible, preferably within a period of 6 weeks from the date of receipt of this order.

13. With the above observation, the writ petition is allowed. There shall be no order as to costs.

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

JUSTICE HARINATH.N

Dated 28.10.2026
KGM

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.12530 of 2026
Date: 28.10.2026

KGM