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APHC010236242026

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: 12726/2026

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 EXECUTIVEENGINEER, PARVATHIPURAM DIVISION, TRIBAL WELFARE DEPARTMENT, PARVATHIPURAM. 535501

...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 tomay be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus the action on part of the Respondents No.4 and 5 in not applying the Labour Component for the Mazdoor (Skilled) Coefficient of 8 Numbers per 10 Sqm. for laying of the High Polished Colored Stone and Granites as per the Standard Data specified in

G.O.Ms.No.49, Irrigation and Command Area, Department dated 02.03.2009 for finalization of payment by extending the benefit of the price escalation and adjustments as per G.O.Ms.No.35, Roads, Transport and Buildings, Department, dated 30.10.2009 in comparison with Standard Schedule of Rates, mentioned in the Agreements No., No.399/2017- 2018/DB, NO.400/2017-2018/DB, No.401/2017-2018/DB, No.402/2017- 2018/DB and No.403/2017-2018/DB dated 26.12.2017 in pursuance of the constmctions of five (5) Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupam and Guruvinayudupeta in the sanctioned estimates as illegal, colorable exercise of power and violative of the Fundamental Rights guaranteed to me under Article 14,19 and 21 of the Constitution of Indiaand consequently direct Respondents No.4 and 5 in not applying the Labour Component for the Mazdoor (unskilled) Coefficient of 8 Numbers per 10 Sqm. for laying of the High Polished Colored Stone and Granites as per the Standard Data specified in G.O.Ms.No.49, Irrigation and Command Area, Department dated 02.03.2009 for finalization of payment by extending the benefit of the price escalation and adjustments as per G.O.Ms.No.35, Roads, Transport and Buildings, Department, dated 30.10.2009 in comparison with Standard Schedule of Rates, in the Agreements No. NO.399/2017-2018/DB, NO.400/2017-2018/DB, NO.401/2017-2018/DB, NO.402/2017-2018/DB and No.403/2017-2018/DB dated 26.12.2017 m pursuance of the constructions of five (5) Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupamand GumyiBaidupeta as per the Standard Schedule of Rates and by extending the benefit of price escalation as per G.O.Ms.No.35, Roads, Transport and Buildings, Department, dated 30.10.2009 and to make the payments as per the Agreements mentioned supra 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 may be pleased to direct the respondent No.4 and 5 toconsider the representations. dated 04.12.2025 seeking alteration of the Labour Charges Mazdoor (unskilled) Coefficient for laying Granite as per the Standard Schedule of Rates in the working estimates for finalization of the bills for the Agreements No. NO.399/2017-2018/DB, NO.400/2017-2018/DB, NO.401/2017-2018/DB, NO.402/2017-2018/DB and No.403/2017-2018/DB dated 26.12.2017 in pursuance of the constructions of five (5) Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupam, and Guruvinaidupeta as per the Specification and Standard Data of the respective agreements, 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: 12726 of 2026

ORDER :

1. The petitioner is aggrieved by the action on part of Respondent Nos. 4 and 5 in not applying the labour component for the Mazdoor(Skilled) Co-efficient of 8 numbers per 10 square meters for laying of the highly polished granites as per the standard data specified in GOMS No. 49, Irrigation and, Command Area, Department dated 02.03.2009 for finalization of the payment by extending the benefit of the price escalation and adjustments as per GOMS No. 35, Roads, Transport and Buildings, Department dated 30.10.2009 in comparison with the standard schedule of rates mentioned in the agreements between the petitioner and the respondents.

2. The petitioner entered into agreements to construct the Ekala Viya model residential school for girls at various places in Alluri Seetharama Raju District, Andhra Pradesh; thereafter, the petitioner completed the work, 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.

3. It is submitted that the first respondent issued GOMS No. 49, Irrigation and Land Development, dated 02.03.2009, updating the Andhra Pradesh standard data in all the engineering Public Works Departments. Whereas the basic components for preparing any site estimate are standard specifications, standard data, and the standard schedule of rates, which include construction materials, skilled and unskilled labour, and hire charges for machinery utilised for the work.

4. It is submitted that Andhra Pradesh Standard Data was revised in the year 01.06.2021 It is also submitted that The first respondent issued GoMS No. 35 , roads Transport and Building Department , dated 30.10.2009, wherein price adjustment and escalation for all ongoing and future building work The learned counsel for the petitioner further submits that while making payment to the contractors The concerned authorities would take measurements of the work executed and arrive at the quantities of labour common missionary and material used for execution of the work based on the standard data and thereafter multiply the same with the standard schedule of rates to arrive at the exact value of work executed and Thereafter, the payment would be made to the contractor.

5. It is submitted that the petitioner executed work for 7 schools , and the petitioner's representative was present when the Final work estimate was prepared. The respondent used the coefficient of 0.86 Mazdoor(unskilled) for laying 10 sq meters of granite, contrary to the

standard of 8 Mazdoor (Unskilled) for laying a 10 square meters of granite. The same was brought to the notice of the 4th and 5th respondents by submitting a representation dated 04.12.2025. It is submitted that the respondent authority has altered and revised the work estimate for 2 schools and, for the reasons better known to the 4th respondent has not revised the work estimate for the other 5 schools It is submitted that the work estimate would have to be in consonance with the existing guidelines and GoMS No. 49 and GOMS No. 35.

6. It is submitted that the respondent has filed a counter, duly tabulating standard data approved for preparing the final work estimate for Granite flooring, and it is submitted that the standard data for granite flooring , as per GOMS No. 49, is mentioned in the counter. It is submitted that the approved data is at the rate of 0.86 , instead of taking it as 8. It is also admitted by the respondents, that they shall apply the complete standard data prescribed for granite flouring under GOMS No. 49 in its entirety.

7. After perusing the counter, the admission about the error that crept in while preparing the final estimate, the granite flooring work executed by the petitioner was erroneously computed at 0.86 instead of the standard 8. On the admission of respondent No. 4, the writ petition deserves to be allowed.

8. Accordingly, the writ petition is allowed, directing the respondents concerned to forthwith rectify the error committed in preparing the Final

work estimate for the 5 schools, duly taking into consideration the unskilled labour component at the standard rate of 8 unskilled labourers for laying 10 Sq.Mt Granite Floor. The respondents shall forthwith prepare the revised work estimate, in accordance with G.O.Ms.No. 49, for the 5 schools, insofar as the petitioner's work is concerned, and release payment due to the petitioner within six (6) weeks of receipt of the order.

9. 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.12726 of 2026
Date: 28.10.2026

KGM