Date of reserved for orders : 22.09.2026
Date of pronouncement : 28.10.2026
Date of uploading : 28.10.2026

APHC010236322026

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: 12690/2026

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. 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 declaring inaction on part of the Respondents No.4 and 5 in changing the Granite Leads in KM for High Polished Granite Slabs, mentioned the Agreements No.397/2017-

2018/DB,No.398/2017-2018/DB,m 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 26.12.2017in pursuance of the constructions of seven (7) Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupam, Meliaputti, Bhamini and Guruvina)mdupeta in the sanctioned estimates which were altered after submission of working estimates by one S.Srinivas (i.e.. The Ex- Chief Engineer and Superintendent Engineer) and the said illegal alteration is in the knowledge of Respondent No.4 and 5 as arbitrary, illegal, colorable exercise of -3 power and violative of the Fundamental Rights guaranteed 14,19 and 21 of the Constitution of India respondents No.4 and 5 to rectify the alterations carried to me under Article and consequently direct the out by S.Srinivas (i.e., The Ex- Chief Engineer and Superintendent) in the M-Books and Working Estimates for Granite Leads in KM for High Polished Granite Slabs, pursuance of the constructions of seven (7) Ekiavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kumpam, Meliaputti Guruvinayudupeta and to make the , Bhamini and payments as per the Agreements mentioned supra and pass such

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 to reconsider and to alter the lead in Km for M-Books and Working Estimates for Granite Leads in KM for Polished High Polished Granite Slabs, in pursuance of the constmctions of seven (7) Eklavya Model Residential Schools at Munchingput, Dumbriguda, Anasabadhra, Kurupam, Meliaputti, Bhamini and Gumvinayudupeta as per the Lead Chart of the respective agreements, pending disposal of the Writ Petition and pass such

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.12690 of 2026

ORDER:

1. The petitioner is aggrieved by the action of respondents 4 and 5 in changing the granite leads in Kilometres for high-polished granite slabs used for flooring of the SevenEkalaya Model Residential Schools. The sanctioned estimates were altered by the then Chief Engineer after submitting the working estimates, and the petitioner seeks a declaration that the alteration is arbitrary and illegal. The petitioner seeks a consequential direction to respondent Nos. 4 and 5, rectify the alterations made by the, the then Chief Engineer in the M-Books and working estimates for granite leads in kilometres for high-polished granite slabs, and make payments as per the agreements.
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 site 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. The respondents altered the lead chart entries, and the petitioner or his authorised representative did not countersign the alterations. It is submitted that the respondents have exhibited a vindictive approach towards the petitioner, as the petitioner was responsible for the arrest of the then Chief Engineer.

5. The 4th respondent has filed a counter, stating that the quantity in square meters as per the agreement ought to have been executed;

however, the petitioner exceeded the agreed quantity, and the respondents claim the same had a huge impact on the exchequer. It is also submitted that the concerned Executive Engineers certified Visakhapatnam as the nearest source for procuring the granite slabs, located about 140 to 250 km from the work sites. Accordingly, the Executive Engineer recommended considering 140 to 250 km as the procurement source, and the same was adopted while rectifying the working estimates.

6. The counter also states that the supplementary item, namely Sapphire Blue Granite variety, utilised for flooring works, was executed without the approval of the competent authority, causing a burden on the Government exchequer. Although the petitioner stated that it was procured from the quarry in Telangana, the petitioner had claimed that it was procured from a distance of about 400 to 600 km.
7. The counter also states that the respondents are not vindictive towards the petitioner and that no personal motive can be attributed to them. It is submitted that the determination of the supplementary item sapphire blue granite variety lead was carried out based on the actual source of procurement, as verified by the Departmental Field Officers and the available records.
8. It is submitted that, based on the Executive Engineer's report, the respondents adopted the Executive Engineer's recommendations for

estimating the lead from a nearby source at Visakhapatnam (140 - 250 KMs).

9. The petitioner filed a reply stating that the respondents quantified the supplementary item and made payments for the said quantity; however, they altered the lead chart without the petitioner's approval. The petitioner has also furnished a copy of the E-way bill for procuring 2421.99 Sq. feet of sapphire blue granite slabs. The distance mentioned in the E-way bill is 686 KMs, and the shipment is for the Ekalavya Model Residential School. It is submitted that all the way bills are submitted to the respondent authorities for consideration, including the leads from the place of procurement.

10. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for the State. Perused the material on record.

11. There is no dispute regarding the entrustment or execution of work by the petitioner. There is also no dispute with regard to denial of payment for procuring the supplementary item sapphire blue granite slabs by the petitioner. The only remaining dispute is regarding altering the lead distances for procuring the said quantity from the source of procurement.

12. The respondent has stated that the Executive Engineer submitted a report that blue sapphire granite is available with local vendors in Visakhapatnam within about 140-250 KMs of the work sites.

13. Availability of sapphire blue granite from local vendors in Visakhapatnam is completely different from procuring it directly from quarries. The procurement rates would differ significantly between procuring from a quarry and procuring from a vendor.

14. Nothing on record establishes that the petitioner procured the granite from local vendors, and the petitioner is mischievously claiming the rates by projecting that the material was procured from far-off places such as Khammam and Karimnagar in the State of Telangana.

15. When the recordings in the M-Book were made based on the procurement leads from the source provided by the petitioner, the recordings could not have been altered simply on the Executive Engineer's report regarding the availability of grantees in Visakhapatnam. Admittedly, the recordings in the M-Book were duly made after verifying the waybills, and the recordings in the M-Book could not have been altered without concurrence of the petitioner or his authorised representative. The recordings in the M-Book are governed by Clause 41 of the Contract. Without the petitioner's concurrence, no alterations could have been made in the M-Books.

16. The circumstances that led the petitioner to file a complaint before the Anti-Corruption Bureau (ACB) about the illegal demands of the then Chief Engineer and the subsequent arrest of the then Chief Engineer evidently appear to have made the Respondent-Department hostile to the petitioner, and the petitioner is troubled through no fault of his.

17. On these considerations, this Court is of the considered view that the writ petition deserves to be allowed, directing the respondents to forthwith rectify the alterations carried out in the M-Books and working estimates for granite leads in Kilometre for high polished granite slabs used for flooring in the Seven Ekalavya Model residential Schools in the State of Andhra Pradesh.

18. The writ petition is allowed, directing the respondents to rectify the alterations carried out without concurrence of the petitioner in the M-Books and working estimates for granite leads in Kilometre for high polished granite slabs used for flooring in the Seven Ekalavya Model residential Schools in the State of Andhra Pradesh and clear the bill(s) of the petitioner as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of this order.

19. 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.12690 of 2026
Date: 28.10.2026

KGM