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

APHC010354622026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 19120/2026

Between:

1. MATTA VENKATA MADHANA GOPAL,, S/O. RAMULU, AGED ABOUT 55 YEARS, OCC CONTRACTOR, R/O. D.NO. 21-45/1, GANDHINAGAR, PAMURU (VILLAGE AND MANDAL), KRISHNA DISTRICT-521157

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY HOUSING DEPARTMENT SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT-522238.
2. THE A P STATE HOUSING CORPORATION LTD, REP. BY ITS MANAGING DIRECTOR, NIRMAN BHAVAN, AUTO NAGAR, VIJAYAWADA, N.T.R. DISTRICT-520007.
3. THE PROJECT DIRECTOR, A.P. STATE HOUSING CORPORATION LTD VIJAYAWADA, N.T.R DISTRICT-520007.
4. THE EXECUTIVE ENGINEER, PANCHAYAT RAJ (PRI) DIVISION, MACHILIPATNAM,KRISHNA DISTRICT. 521001
5. THE STATE OF ANDRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FINANCE DEPARTMENT. SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT-522238.

...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 declare the inaction on part of the respondents particularly 2nd respondent herein not releasing the final bill an amount of Rs.5,58,697/- vide Agreement No.491/2022-23, dated 13.01.2023, NIT No. 610/TO/2022-23 dated 05.11.2022 and M.Book.No. 372B/2022-23with interest of execution of completion work of Providing Approach Road For Jagananna Housing Colony at Yakamuru Village of Thotlavalluru Mandal, Under Non OTS Critical Infrastructure Grant under Panchayat Raj Engineering Department as per agreement to the petitioner till today and causing heavy loss with interest even though total works were completed as per the agreement as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and consequentially to direct the respondents releasing the final bill of total amount worth of Rs.5,58,697/- for execution of completion of works as per agreement to the petitioner forthwith and to 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 to direct the respondents to release the final bill an amount worth of Rs.5,58,697/- for execution of completion of works as per agreement to the petitioner forthwith, and to pass such

Counsel for the Petitioner:

1. PAMARTHI KAMESWARA RAO

Counsel for the Respondent(S):

1. MALLIKHARJUNA MOORTHY K (SC FOR A.P HOUSING CORPORATION LIMITED)
2. GP FOR HOUSING
3. GP FOR FINANCE PLANNING

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.19120 OF 2026

ORDER:

1. The petitioner had been awarded the contract of work(s) under the subject scheme in Krishna. After execution of the said contract, a final bill was prepared for a sum of Rs.5,58,697/- as per the sanctioned orders. As the payment of the said amount has not been made by the respondents, the petitioner has approached this Court by way of this writ petition.

2. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the said amount, but no payment is being made. The petitioner contends that such non-payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

3. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

4. On the other hand, learned Standing Counsel has placed on record the written instructions dated 13.10.2026 received from the District Head – Housing, Krishna District, admitting net amount of Rs.4,51,385/-, as per the

M.Book, payable to the petitioner. But, the subject bill was not uploaded for payment. Soon after uploading of the bill, the said will be paid to the petitioner.

5. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of learned counsel for the petitioner, learned Standing Counsel, this Writ Petition is disposed of with a direction to the respondents to release the net amount of Rs.4,51,385/- to the petitioner within a period of three (03) months. It would also be open to the petitioner to agitate his claim for differential amount, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs. No order as to costs.

6. In fact there is no admission by the Respondents either in their Written Instructions regarding the payment of interest component or by oral submissions made by the Government Pleader/Standing Counsel for Respondents. Much less, the interest component as claimed by the petitioner was neither admitted nor approved at their final bills of the respondents. Hence, in the absence of any such admission, this Court is not inclined to grant any specific amount as it admitted under the head of interest. However, the Petitioner is entitled for interest component as per the terms of Agreement if permits and also in the case of delayed payments, as per the ratio laid down by the Division Bench of this Court in W.A.No.724 of 2021. Therefore, the respondents are hereby directed to pay admitted amount within a period of four months from the date of receipt of copy of this order. As far as interest is

concerned, if both parties have agreed regarding the quantum of amount towards interest, the same should be paid along with admitted amount, if not, petitioner is at liberty to submit a representation or a Memo of Statement requesting for payment of interest. If petitioner is entitled for the same, after such submission of representation or Memo, the concerned respondent authorities shall consider and pass appropriate orders after providing opportunity of hearing to both parties in case of rejection or reduction of interest amount claimed by the petitioner, within a period of four (04) weeks thereafter.

7. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

Date: 06.11.2026

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THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.19120 OF 2026

Date:06.11.2026

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