APHC010517292026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3327]**
(Special Original Jurisdiction)

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K. SREENIVASA REDDY

WRIT PETITION NO: 28470/2026

Between:

1. P. HUSSAIN REDDY, AS/O. P.CHOW REDDY AGED 58 YEARS OCC CONTRACTOR RIO. GUMPARA MANUDINNAVILLAGE SIRIVELLA MANDAL NANDYAL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, WATER RESOURCE DEPARTMENT A.P.SECRETARIAT AT AMARAVATI.-522237
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, A.P.SECRETARIAT AT AMARAVATI.-522237
3. THE DISTRICT COLLECTOR, NANDYAL DISTRICT AT NANDYAL.-518501
4. THE CHIEF ENGINEER, MINOR IRRIGATION DEPARTMENT, AT VIJAYAWADA NTR DISTRICT.-520001
5. THE SUPERINTENDING ENGINEER, IRRIGATION CIRCLE (W.R.D) KURNOOL KURNOOL DISTRICT.-518001
6. THE EXECUTIVE ENGINEER, WATER RESOURCE DEPARTMENT, KC CANAL DIVISION AT NANDYAL NANDYAL DISTRICT.- 518501

...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 to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing work amount for the work executed by the petitioner namely Urgent Repairs to fill the gullies and strengthen the Bathalur Supply Channel of K C Main Canal through the Agreement No. 53/2022-23 Dt 03-02-2023 for an amount of Rs.85,243/- with 18 interest is illegal, arbitrary and contrary to law and unconstitutional and violation of Article 14,21 of Constitution of India and consequently direct the respondents to release the amount of Rs.85,243/- with 18 per annum to the petitioner in respect of the execution of aforementioned work forthwith

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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 direct the respondents to release the amount of Rs.85,243/- with interest at 18% for the work executed by the petitioner Urgent Repairs to fill the gullies & strengthen the Bathalur Supply Channel of K C Main Canal through the Agreement No. 53/2022-23 Dt: 03-02-2023for an amount of Rs.85,243/- to the petitioner

Counsel for the Petitioner:

1. MARELLA RADHA

Counsel for the Respondent(S):

1. GP FOR IRRI AND CAD
2. GP FOR FINANCE PLANNING

The Court made the following:

O R D E R

This Writ Petition is filed seeking the following relief:

> "….to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing work amount for the work executed by the petitioner namely Urgent Repairs to fill the gullies and strengthen the Bathalur Supply Channel of K.C. Main Canal through the Agreement No. 53/2022-23 Dt 03-02-2023 for an amount of Rs.85,243/- with 18 interest is illegal, arbitrary and contrary to law and unconstitutional and violation of Article 14,21 of Constitution of India and consequently direct the respondents to release the amount of Rs.85,243/- with 18% per annum to the petitioner in respect of the execution of aforementioned work and pass such other order…"

2. Heard learned counsel for the petitioner, the learned Assistant Government Pleader for Irrigation and the learned Assistant Government Pleader for Finance and Planning.

3. The petitioner claims to be engaged in the execution of civil works and that he was entrusted with various works on a tender basis. It is the case of the petitioner that he was awarded a contract for execution of the work viz. Urgent repairs to fill the guillies and strengthen the Bathalur Supply Channel of K.C. Main Canal. It is the case of the petitioner that he executed the work to the satisfaction of the authorities concerned, and upon completion of the work, the respondent authorities measured the same and recorded the measurements in the Measurement Book.

4. It is the grievance of the petitioner that notwithstanding the completion of the work and its measurement by the competent authorities, the amount due towards the executed work has not been paid till date. According to the

petitioner, although the work was completed long back, the respondent authorities are not releasing the admitted amount payable to him. Aggrieved by the non-payment of the said amount, the petitioner filed the present Writ Petition.

5. Learned Assistant Government Pleader for Irrigation, on written instructions, from the Executive Engineer, W.R.D., K.C. Canal Division, Nandyal-6th respondent, submits that there is no dispute with regard to the execution of the subject work by the petitioner. He further submits that the budget proposals have been submitted to the higher authorities. After releasing of budget, the bill will be uploaded on NIDHI Portal and submitted to the Assistant Pay and Accounts Officer, Nandyal for payment. The written instructions are placed on record.

6. Since the amount payable is admitted and undisputed, Writ Petition is maintainable. In ***M/s.Utkal Highways Engineers and Contractors v. Chief General Manager & Ors***[1], it was held at Para No.8 as under:

> "Be that as it may, the High Court has not dealt with the merits of the Writ Petition. Moreover, it is not an inviolable rule that no money claim can be adjudicated upon in exercise of writ jurisdiction. Non-payment of admitted dues, inter alia, may be considered an arbitrary action on the part of respondents and for claiming the same, a Writ Petition may lie. Further, throwing a Writ Petition on ground of availability of alternative remedy after 10 years, particularly, when parties have exchanged their affidavits, is not the correct course unless there are disputed questions of fact which by their very nature cannot be adjudicated upon without recording formal evidence."

7. Having regard to the fact that there is no dispute with regard to the work executed by the petitioner and the amount payable to him, and in view of the submissions of the learned Assistant Government Pleader for Irrigation, the respondent authorities are directed to pay admitted payable amount of Rs.98,792/- to the petitioner within a period of Four (4) weeks from the date of receipt of a copy of this order.

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[1] 2025 SCC OnLine SC 1400

8. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, the Interlocutory Applications, if any, pending in this Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

Date: 27.10.2026.
MS

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No:28470 of 2026

Date: 27.10.2026

MS